



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee members
From: Sorsha Anderson, Senior Staff Associate
Date: December 26, 2024
Subject: Grant/Limited-Service positions Request – JFO #3235

Enclosed please find one (1) item, which the Joint Fiscal Office has received from the Administration. ***This request is under an expedited review. Please respond by Tuesday, December 31, 2024.***

JFO #3235: \$5,500,000.00 to the Agency of Natural Resources, Department of Forests, Parks and Recreation from the U.S. Forest Service. This is two separate awards, \$5,000,000.00 and \$500,000.00, both supporting collaboration with private landowners on small and large scale forest preservation and restoration aligned with national and state climate goals.

This request includes five (5) limited-service positions:

- Four (4) limited-service positions to the Department's Forest Division to support the grant objectives: two (2) Forestry Professional III, one (1) Project and Implementation Specialist, and one (1) Communications and Outreach Communicator. These positions are funded through the \$5.5M grant award through 12/31/2028.
- One (1) Grants Administrator to the Department of Forests, Parks and Recreation, Administrative Division. This position is funded through increases in the longstanding Land and Water Conservation grants and is funded through 9/30/2026.

[NOTE: The staff attorney position mentioned in the packet will be considered at a later date as a separate request.]

[Received 12/20/2024]

Please review the enclosed materials and notify the Joint Fiscal Office (Sorsha Anderson: sanderson@leg.state.vt.us) if you have questions or would like this item held for legislative review. If we do not have a response by **December 30, 2024**, members will be polled.

MEMORANDUM

To: Sarah Clark, Interim Secretary, Agency of Administration
Through: Nick Kramer, Dept. of Finance and Management
Through: David Fuller, Dept. of Human Resources
From: Julie Moore, Secretary, Agency of Natural Resources
Date: October 9, 2024 (rev. from July 22, 2024) (revised from July 12, 2024)
Subject: Request for Joint Fiscal Committee, July 30, 2024 to Establish Limited-Service Positions for Deployment of Enhanced Federal Funding
Cc: Brittney Wilson, Adam Greshin, Laurie Bouyea-Dumont

Executive Summary

The Agency of Natural Resources and its departments are requesting **six** Limited-Service Positions to provide needed capacity to support the implementation of more than \$100 million in new federal funding opportunities largely made available under the Inflation Reduction Act (IRA). Specifically, significant funding is available to environmental agencies under the IRA to support climate action, including implementation funds as part of EPA's Climate Pollution Reduction Grant program as well as through the U.S. Forest Service to offer technical and financial assistance to private forestland owners to manage their forests for increased resiliency to climate change.

Many of the opportunities will be used for support efforts that align with recommendations contained in the initial Climate Action Plan produced by the Vermont Climate Council in 2021, reducing state resources that would otherwise be needed to fulfill the requirements of the Global Warming Solutions Act (GWSA) and meet the conservation targets established in Act 59 (2023).

The Agency has been the recipient of unprecedented federal funding in recent years, including the American Rescue Plan Act (ARPA), Bipartisan Infrastructure Law (BIL) and the IRA (among others discussed below) and we are in the final push to implement these one-time funds. We are well poised to maximize the benefit to Vermonters from this unprecedented federal funding.

Federal Funding Opportunities

Department of Forests, Parks and Recreation, Forests Division

The Department of Forests, Parks, and Recreation (FPR) has received \$5.5 million in federal Inflation Reduction Act (IRA) funding. This funding will improve support for underserved private forestland owners to manage their forests for increased resiliency to climate change. To effectively administer these funds and maximize their impact, additional staff capacity is essential. The requested limited-service positions will enable us to provide Vermont landowners with enhanced technical assistance, helping them understand their forests, identify and address threats, and develop and implement management plans to adapt to climate change.

With 80% of Vermont's forestlands owned and stewarded by private landowners, this direct educational, technical, and financial assistance will have a lasting impact on the health and resilience of our forests. By adding temporary additional support to our team, we can ensure these federal funds are used efficiently and effectively, benefiting Vermont's environment, economy, and communities for generations to come.

There are three grants in total supporting five positions. The \$500,000 grant for Forest Service IRA funding supports a Project and Implementation Specialist. A \$5M Forest Service IRA supports a position for climate smart forestry practices for private landowners and forest projects as well as three other positions. Lastly, \$1.5M in Forest Service IRA funding will support an attorney position in the Secretary's Office to provide Forest Legacy administration.

The four requested positions in FPR include:

An Underserved Landowner Technical Support Specialist (Forestry Professional III) will expand landowner assistance and outreach capacity to underserved landowners, including new landowners and those in economically disadvantaged communities. By offering tailored assistance, this role will enable landowners to make informed decisions, enhance the ecological health of their forests, and contribute to the overall resilience of Vermont's natural landscapes. This targeted support will not only improve forest management practices but also foster a more inclusive approach to conservation, ensuring that all Vermonters, regardless of economic status, can contribute to and benefit from a healthier, more resilient environment.

A Forest Resiliency Project Manager (Project and Implementation Specialist) will provide the internal operations needed to manage all the business, logistics and financial components of this initiative. This role will ensure effective coordination amongst partners, process sub-agreements, and fulfill detailed federal reporting requirements that significantly exceeds the capacity of existing staff. The position will help maximize the impact of the federal funding, ensuring timely and effective resource utilization to enhance the resiliency of Vermont's forests.

A Forest Landowner Engagement Specialist (Communications and Outreach Coordinator) will focus on improving the efficacy of forest program-wide systems, including Use Value Appraisal (UVA) and services that drive communication and engagement with underserved forest landowners in Vermont. Enhancing these programs and their services will lead to increased participation in forest management, fostering healthier forests and greater climate resilience and enable us to reach underserved individuals who have previously been unable to participate in these programs.

A Forest Resiliency Planning Specialist (Forestry Professional III) will advance the services of Vermont's forestry professionals. This position will design and implement certification programs that will increase the skills and marketability of forest resilience services connected to markets for forest products. Once established, we envision that this

pilot program will transition to a partner organization to administer in the future, lessening state resources needed in the long term, while enabling us to take advantage of the federal funding available to lay the foundation for this program.

Additionally, this position will support the design and implementation of \$1.5M in resilience plan and practice payments for foresters and loggers, enabling them to provide free or reduced-cost forest resilience and product management to private landowners. By bolstering the capabilities of forestry professionals in Vermont, this position will ensure that landowners receive high-quality assistance in managing their forests. The benefits of this role will extend throughout the state, beyond the term of the position, helping to secure the future of Vermont’s forests and the livelihoods of those who depend on them.

Position Request and Funding Sources

The following positions are requested for authorization at this time.

Position Title	Funding Source
Communications and Outreach Coordinator	USDA Forest Service, IRA Funding
Project and Implementation Specialist	USDA Forest Service, IRA Funding
Forestry Professional III	USDA Forest Service, IRA Funding
Forestry Professional III	USDA Forest Service, IRA Funding

Department of Forests, Parks and Recreation, Administration Division

The Department of Forests, Parks and Recreation (FPR) will receive an additional \$125,000 annually to support the administration of the Land and Water Conservation Fund program. Vermont receives over \$2 million per year from the National Park Service, much of which is, in turn, used to offer competitive grant funding for everything from local sports fields to national parks to working forests to wildlife refuges. Hiring a grants administrator using this additional funding will maximize the impact of these funds by supporting Vermont communities with important local land acquisitions for uses ranging from recreation projects, to protecting unique natural areas, to mitigating climate impacts.

Position Request and Funding Source

The following positions are requested for authorization at this time.

Position Title	Funding Source
Grants Administrator	National Park Service, Land and Water Conservation Fund

Agency of Natural Resources Secretary’s Office, Legal Division

The Agency will receive \$1.5 million in IRA funds to help Vermont take advantage of over \$700 million in increased conservation funding available nationally through the Forest Legacy Program.

The Forest Legacy Program is an important conservation funding initiative for Vermont, supporting the conservation of working forests, which are crucial for maintaining the state's environmental health, economic stability, and cultural heritage. This additional funding will better position Vermont to meet the ambitious conservation targets established in Act 59 (2023), which aim for 30% of lands conserved by 2030 (“30x30”) and 50% by 2050 (“50x50”). We are requesting an attorney position not just to conserve land, but to protect Vermont's natural resources, forest economy, and way of life for future generations.

Conservation partners are actively submitting projects to ANR, and we need to respond to this influx of applications. To maximize the impact of these funds and navigate the complex legal landscape of conservation initiatives, an attorney dedicated to this effort is essential. Currently, the Agency does not have a dedicated real estate attorney. Bringing on this expertise to support the implementation of this one-time federal funding is critical to meeting the demand. The department considered contracting for this work, but ultimately determined that it would be more cost-effective to hire a limited-service attorney. This position will ensure that Vermont can efficiently access and utilize federal funds, draft and negotiate conservation easements, and manage state and federal compliance.

Position Request and Funding Source

The following positions are requested for authorization at this time.

Position Title	Funding Source
Staff Attorney III	USDA Forest Service, IRA Funding

State of Vermont
Commissioner's Office
Department of Forests, Parks & Recreation
1 National Life Drive, Davis 2
Montpelier, VT 05620-3801
<http://fpr.vermont.gov>

Agency of Natural Resources
Danielle Fitzko, Commissioner

[phone] 802-828-1534
[fax] 802-828-1399

MEMORANDUM

TO: State of Vermont, Joint Fiscal Committee

FROM: Danielle Fitzko, Commissioner, Department of Forests, Parks and Recreation

THROUGH: Ansley Bloomer, Director of Finance and Administration

DATE: December 20, 2024

RE: ANR-FPR Limited Service Position Request

At the time that FPR submitted the requests for the Limited Service Positions listed below, we did not know that the new funding would be given a new Assistance Listing Number (ALN). Please see the amended chart below that provides updated funding information for each of the new positions.

Agency/ Dept.	Division	Job Code	Job Class	PG	Funding Authorization Reference	End	Dept ID	Bus Unit	Supervisor Name
ANR/FPR	Administration	521500	Grants Administrator	21	Funding has been available for decades and pre-dates the JFO number scheme. Additional funding to include administrative support.	9/30/2026	6130040000	06130	Nicole Streeter
ANR/FPR	Forests	310800	Forestry Professional III	24	USDA Forest Service, New IRA Funding - AA-I is with Governor's Office	12/31/2028	6130020000	06130	Keith Thompson
ANR/FPR	Forests	068110	Project and Implementation Specialist	25	USDA Forest Service, New IRA Funding - AA-I is with Governor's Office	12/31/2028	6130020000	06130	Keith Thompson
ANR/FPR	Forests	857200	Communications and Outreach Coordinator	22	USDA Forest Service, New IRA Funding - AA-I is with Governor's Office	12/31/2028	6130020000	06130	Keith Thompson
ANR/FPR	Forests	310800	Forestry Professional III	24	USDA Forest Service, New IRA Funding - AA-I is with Governor's Office	12/31/2028	6130020000	06130	Katherine Servidio
ANR/SO	Legal	Exempt	Staff Attorney III	exempt	USDA Forest Service, IRA Funding \$372K - JFO 3231; \$900k award is in the process of being executed and will be the same ALN/source as JFO 3231	9/30/2029	6100010806	06100	Catherine Gjessing


**State of Vermont**

Department of Finance & Management
109 State Street, Pavilion Building
Montpelier, VT 05620-0401

Agency of Administration

[phone] 802-828-2376

STATE OF VERMONT FINANCE & MANAGEMENT GRANT REVIEW FORM

Grant Summary:		To support Vermont's forests capacity by working with private landowners, not usually involved in collaboration efforts, to implement large- and small-scale efforts backed by Vermont forest research.			
Date:		11/19/2024			
Department:		ANR-FPR			
Legal Title of Grant:		#1 (24-DG-11094200-285, Total \$500,000) Building Capacity to Assist Underserved Landowners and Increase Forest Resilience Through Integratiuon of Program Strategies; #2 (24-CA-11132544-104, Total \$5 Million) Growing Vermont's Forest Resilience: A Collaborative Strategy			
Federal Catalog #:		10.731 / Inflation Reduction Act Landscape Scale Restoration			
Grant/Donor Name and Address:		USDA Forest Service Region 9 626 East Wisconsin Ave, Milwaukee, WI 53202			
Grant Period:	From:	9/23/2024	To:	6/30/2029	
Grant/Donation		\$5,500,000			
	SFY 1	SFY 2	SFY 3	Total	Comments
Grant Amount:	\$600,000	\$850,000	\$4,050,000	\$5,500,000	SFY3 = FY27-FY29
Position Information:		# Positions	Explanation/Comments		
		4	2 Forestry Professional IIIs (PG 24) 1 Project and Implementation Specialist (PG 25) 1 Communications and Outreach coordinator (PG 22)		
Additional Comments:		One \$500k grant under 10.731 plus one \$5,000,000 grant under 10.731. No state match required.			
Department of Finance & Management					
Secretary of Administration				Adam Greshin Digitally signed by Adam Greshin Date: 2024.11.19 04AB832CD55C438...	(Initial)
Sent To Joint Fiscal Office				Sarah Clark Digitally signed by Sarah Clark Date: 2024.11.19 04AB832CD55C438...	(Initial)
				Date	

STATE OF VERMONT		
FINANCE & MANAGEMENT GRANT REVIEW FORM		





State of Vermont
Department of Forests, Parks & Recreation
1 National Life Drive, Davis 2
Montpelier, VT 05620-3801
www.vtfpr.org

Agency of Natural Resources
[phone] 802-522-0730
[fax] 802-828-1399

To: Philip B. Scott, Governor and Vermont Joint Fiscal Committee
From: Danielle Fitzko, Commissioner
Through: Ansley Bloomer, Director of Finance and Administration
Date: 11/05/2024
Subject: AA-1 Request for Grant Acceptance for ALN Number 10.731

The Department of Forests, Parks and Recreation (FPR) seeks the approval of one (1) Request for Grant Acceptance (AA-1) form for two (2) Federal Grant Awards.

Details of the awards:

#1

ALN: 10.731

Federal Agency: Agency of Agriculture, United States Forest Service (USFS)

Program Title: Forestry; Inflation Reduction Act Landscape Scale Restoration

Total Award: \$500,000

#2

ALN: 10.731

Federal Agency: Agency of Agriculture, United States Forest Service (USFS)

Program Title: Forestry; Inflation Reduction Act Landscape Scale Restoration

Total Award: \$5,000,000

These awards are to support Vermont's forests capacity by working with private landowners, not usually involved in collaboration efforts, to implement large- and small-scale efforts backed by Vermont forest research.

Please don't hesitate to reach out with questions. We greatly appreciate your consideration.

Enclosed for above mentioned award:

AA-1 Form and Required Documentation

STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

BASIC GRANT INFORMATION				
1. Agency:		Natural Resources		
2. Department:		Forests, Parks & Recreation		
3. Program:		Forestry		
4. Legal Title of Grant:		#1 (24-DG-11094200-285, Total \$500,000) BUILDING CAPACITY TO ASSIST UNDER SERVED LANDOWNERS AND INCREASE FOREST RESILIENCE THROUGH INTEGRATION OF PROGRAM STRATEGIES; #2 (24-CA-11132544-104, Total \$5 Million) Growing Vermont's Forest Resilience: A Collaborative Strategy		
5. Federal Catalog #:		10.731 Inflation Reduction Act Landscape Scale Restoration		
6. Grant/Donor Name and Address: USDA, FOREST SERVICE REGION 9, STATE AND PRIVATE FORESTRY 626 East Wisconsin Ave Milwaukee, WI 53202				
7. Grant Period:		From:	09/23/2024	To: 6/30/2029
8. Purpose of Grant: Increasing Vermont's forest capacity by working with partners not usually involved in collaboration efforts and implementing large and small scale efforts backed by Vermont research.				
9. Impact on existing program if grant is not Accepted: The opportunity to work with underserved landowners is the missing piece to Vermont's forest resiliency puzzle. The collaboration to accomplish much needed outreach will only enhance Vermont's critical forests in sectors previously underutilized.				
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2025	FY 2026	FY 2027-2029	Combined FY's
Personal Services	\$41,690.80	\$52,878.75	\$225,762.15	
Operating Expenses	\$	\$	\$	
Grants	\$558,309.20	\$797,121.25	\$3,824,238	
Total	\$600,000	\$850,000	\$4,050,000	
Revenues:				
State Funds:	\$	\$	\$	
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:	\$600,000	\$850,000	\$4,050,000	
(Direct Costs)	\$558,309.20	\$797,121.25	\$3,824,238	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$41,690.80	\$52,878.75	\$225,762.15	
Other Funds:	\$	\$	\$	
Grant (source)	\$	\$	\$	
Total	\$600,000	\$850,000	\$4,050,000	
Appropriation No: 6130020000 Amount: \$600,000				

STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

		\$
		\$
		\$
		\$
		\$
	Total	\$600,000

PERSONAL SERVICE INFORMATION

11. Will monies from this grant be used to fund one or more Personal Service Contracts? ☐ Yes ☒ No
 If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy.

Appointing Authority Name: _____ Agreed by: _____ (initial)

12. Limited Service Position Information:	# Positions	Title
	1	Forest Resiliency Project Manager
	2	Forest Resiliency Planning Specialist
	3	Underserved Landowner Technical Support Specialist
	4	Forest Landowner Engagement Specialist
Total Positions	4	

12a. Equipment and space for these positions: ☐ Is presently available. ☒ Can be obtained with available funds.

13. AUTHORIZATION AGENCY/DEPARTMENT

I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):	DocuSigned by: _____	
	Signature: <i>Ausley Bloomer</i>	Date: 11/18/2024
	Title: Director of Finance and Administration	
	76A912E5D065476...	
	DocuSigned by: _____	
	Signature: <i>Danielle Fitzko</i>	Date: 11/18/2024
	Title: Commissioner, Department of Forests, Parks and Recreation	
	5BE1AA84753549F...	

14. SECRETARY OF ADMINISTRATION

<input checked="" type="checkbox"/> SC	Approved:	(Secretary or designee signature)	DocuSigned by: <i>Sarah Clark</i>	Date: 12/1/2024 4:45
			04AB832CD55C43B...	

15. ACTION BY GOVERNOR

<input checked="" type="checkbox"/> Check One Box:	<i>[Signature]</i> (Governor's signature)	Date: 12/14/24
<input checked="" type="checkbox"/> Accepted		
<input type="checkbox"/> Rejected		

16. DOCUMENTATION REQUIRED

Required GRANT Documentation	
<input checked="" type="checkbox"/> Request Memo <input type="checkbox"/> Dept. project approval (if applicable) <input checked="" type="checkbox"/> Notice of Award <input checked="" type="checkbox"/> Grant Agreement <input checked="" type="checkbox"/> Grant Budget	<input type="checkbox"/> Notice of Donation (if any) <input type="checkbox"/> Grant (Project) Timeline (if applicable) <input type="checkbox"/> Request for Extension (if applicable) <input type="checkbox"/> Form AA-1PN attached (if applicable)

End Form AA-1

STATE OF VERMONT REQUEST FOR GRANT ^(*) ACCEPTANCE (Form AA-1)

(*) The term “grant” refers to any grant, gift, loan, or any sum of money or thing of value to be accepted by any agency, department, commission, board, or other part of state government (see 32 V.S.A. §5).

STATE OF VERMONT
Joint Fiscal Committee Review
Limited Service - Grant Funded
Position Request Form

This form is to be used by agencies and departments when additional grant funded positions are being requested. Review and approval by the Department of Human Resources must be obtained prior to review by the Department of Finance and Management. The Department of Finance will forward requests to the Joint Fiscal Office for JFC review. A Request for Classification Review Form (RFR) and an updated organizational chart showing to whom the new position(s) would report must be attached to this form. Please attach additional pages as necessary to provide enough detail.

Agency/Department: ANR/AdministrationDate: 6/12/2024Name and Phone (of the person completing this request): Danielle Fitzko, FPR Commissioner

Request is for:

- ☐ Positions funded and attached to a new grant.
☒ Positions funded and attached to an existing grant approved by JFO # _____

1. Name of Granting Agency, Title of Grant, Grant Funding Detail (attach grant documents):

National Park Service, Land & Water Conservation Fund: State & Local Assistance, State Admin Grant, approx. \$200,000. Funding is assigned to existing Catalog of Federal Domestic Assistance (CFDA) number - funding is going into existing programs and approved in FY25 budget.

2. List below titles, number of positions in each title, program area, and limited service end date (information should be based on grant award and should match information provided on the RFR) position(s) will be established only after JFC final approval:

Title* of Position(s) Requested	# of Positions	Division/Program	Grant Funding Period/Anticipated End Date
Grants Administrator	1	Admin/Grants	New annual program administration funding. 9/30/2026. Anticipate extending when annual grant is received.

*Final determination of title and pay grade to be made by the Department of Human Resources Classification Division upon submission and review of Request for Classification Review.

3. Justification for this request as an essential grant program need:

FPR will receive approx. \$200,000 annually to support the administration of the Land and Water Conservation Fund program. This funding recognizes the perpetual responsibilities of the program and aims to address the lack of administrative funds provided to states. Vermont receives over \$2 million per year from the National Park Service and is only now receiving financial administrative support. Hiring a grants administrator would streamline processes, ensuring compliance, and maximizing impact. This position would facilitate key land acquisitions for conservation and recreation, vital for preserving ecosystems, mitigating climate impacts, and providing valuable recreational opportunities.

I certify that this information is correct and that necessary funding, space and equipment for the above position(s) are available (required by 32 VSA Sec. 5(b)).

Danielle FitzkoDigitally signed by Danielle Fitzko
Date: 2024.06.21 12:33:12 -04'00'

6/21/2024

Signature of Agency or Department Head

Date

David Fuller

Digitally signed by David Fuller
Date: 2024.07.26 06:36:00 -04'00'

Approved/Denied by Department of Human Resources

Date

Adam GreshinDigitally signed by Adam Greshin
Date: 2024.11.19 17:46:02 -05'00'

Approved/Denied by Department of Finance and Management

Date

Sarah Clark

12/1/2024 | 4:45:19 EST

Approved/Denied by Secretary of Administration

Date

12/14/24

Approved/Denied by Governor (required as amended by 2019 Leg. Session)

Date

Comments:

STATE OF VERMONT
Joint Fiscal Committee Review
Limited Service - Grant Funded
Position Request Form

This form is to be used by agencies and departments when additional grant funded positions are being requested. Review and approval by the Department of Human Resources must be obtained prior to review by the Department of Finance and Management. The Department of Finance will forward requests to the Joint Fiscal Office for JFC review. A Request for Classification Review Form (RFR) and an updated organizational chart showing to whom the new position(s) would report must be attached to this form. Please attach additional pages as necessary to provide enough detail.

Agency/Department: Agency of Natural Resources / Dept of Forests, Parks & Recreation Date: 06/14/2024

Name and Phone (of the person completing this request): Oliver Pierson (802) 505-3564

Request is for:

- ☒ Positions funded and attached to a new grant.
☐ Positions funded and attached to an existing grant approved by JFO # _____

1. Name of Granting Agency, Title of Grant, Grant Funding Detail (attach grant documents):

USDA Forest Service, Growing Vermont's Forest Resilience: A Collaborative Strategy, \$5M Grant and a \$500,000 non-competitive funding award to build capacity to support under-served landowners, See attached documents

2. List below titles, number of positions in each title, program area, and limited service end date (information should be based on grant award and should match information provided on the RFR) position(s) will be established only after JFC final approval:

Title* of Position(s) Requested # of Positions Division/Program Grant Funding Period/Anticipated End Date

Forestry Professional III / Forest Resiliency Planning Specialist / 1 Position / Forests Division / Private Lands Program / September 1, 2024 to December 31, 2028

*Final determination of title and pay grade to be made by the Department of Human Resources Classification Division upon submission and review of Request for Classification Review.

3. Justification for this request as an essential grant program need:

FPR received \$5.5 million to support underserved landowners in VT manage forests so they are more resilient to climate change and can benefit from emerging markets for forest products. To successfully implement the grants, additional capacity for provision of technical assistance, landowner engagement planning, project coordination, and field activity implementation is needed. This project will significantly increase demands on FPR staff, and we do not currently possess adequate capacity to take on this additional work. To meet both existing demands and increased demands from this project, FPR proposes to hire additional staff, including this "resilient forest management" position.

I certify that this information is correct and that necessary funding, space and equipment for the above position(s) are available (required by 32 VSA Sec. 5(b)).

Danielle Fitzko

Digitally signed by Danielle Fitzko
Date: 2024.06.14 12:56:03 -04'00'

6/14/2024

Signature of Agency or Department Head

Date

David Fuller

Digitally signed by David Fuller
Date: 2024.07.26 06:38:05 -04'00'

Approved/Denied by Department of Human Resources

Date

Adam Greshin

Digitally signed by Adam Greshin
Date: 2024.11.19 17:47:04 -05'00'

Approved/Denied by Finance and Management

Date

12/1/2024 | 4:45:19 EST

Approved/Denied by Secretary of Administration

Date

12/14/24

Approved/Denied by Governor (required as amended by 2019 Leg. Session)

Date

Comments:

STATE OF VERMONT
Joint Fiscal Committee Review
Limited Service - Grant Funded
Position Request Form

This form is to be used by agencies and departments when additional grant funded positions are being requested. Review and approval by the Department of Human Resources must be obtained prior to review by the Department of Finance and Management. The Department of Finance will forward requests to the Joint Fiscal Office for JFC review. A Request for Classification Review Form (RFR) and an updated organizational chart showing to whom the new position(s) would report must be attached to this form. Please attach additional pages as necessary to provide enough detail.

Agency/Department: Agency of Natural Resources / Dept of Forests, Parks & Recreation Date: 06/14/2024

Name and Phone (of the person completing this request): Oliver Pierson (802) 505-3564

Request is for:

- ☒ Positions funded and attached to a new grant.
☐ Positions funded and attached to an existing grant approved by JFO # _____

1. Name of Granting Agency, Title of Grant, Grant Funding Detail (attach grant documents):

USDA Forest Service, Growing Vermont's Forest Resilience: A Collaborative Strategy, \$5M Grant and a \$500,000 non-competitive funding award to build capacity to support under-served landowners, See attached documents

2. List below titles, number of positions in each title, program area, and limited service end date (information should be based on grant award and should match information provided on the RFR) position(s) will be established only after JFC final approval:

Title* of Position(s) Requested # of Positions Division/Program Grant Funding Period/Anticipated End Date

Project and Implementation Specialist / Forest Resiliency Project Manager / 1 Position / Forests Division / Private Lands Program / September 1, 2024 to December 31, 2028

*Final determination of title and pay grade to be made by the Department of Human Resources Classification Division upon submission and review of Request for Classification Review.

3. Justification for this request as an essential grant program need:

FPR received \$5.5 million to support underserved landowners in VT manage forests so they are more resilient to climate change and can benefit from emerging markets for forest products. To successfully implement the grants, additional capacity for provision of technical assistance, landowner engagement planning, project coordination, and field activity implementation is needed. This project will significantly increase demands on FPR staff, and we do not currently possess adequate capacity to take on this additional work. To meet both existing demands and increased demands from this project, FPR proposes to hire additional staff, including this project management position.

I certify that this information is correct and that necessary funding, space and equipment for the above position(s) are available (required by 32 VSA Sec. 5(b)).

Danielle Fitzko

Digitally signed by Danielle Fitzko
Date: 2024.06.14 12:59:14 -04'00'

6/14/2024

Signature of Agency or Department Head

Date

David Fuller

Digitally signed by David Fuller
Date: 2024.11.21 07:44:47 -05'00'

Approved/Denied by Department of Human Resources

Date

Adam Greshin

Digitally signed by Adam Greshin
Date: 2024.11.19 17:47:47 -05'00'

Approved/Denied by Finance and Management

Date

Sarah Clark

12/1/2024 | 4:45:19 EST

Approved/Denied by Secretary of Administration

Date

Approved/Denied by Governor (required as amended by 2019 Leg. Session)

Date

Comments:

STATE OF VERMONT
Joint Fiscal Committee Review
Limited Service - Grant Funded
Position Request Form

This form is to be used by agencies and departments when additional grant funded positions are being requested. Review and approval by the Department of Human Resources must be obtained prior to review by the Department of Finance and Management. The Department of Finance will forward requests to the Joint Fiscal Office for JFC review. A Request for Classification Review Form (RFR) and an updated organizational chart showing to whom the new position(s) would report must be attached to this form. Please attach additional pages as necessary to provide enough detail.

Agency/Department: Agency of Natural Resources / Dept of Forests, Parks & Recreation Date: 06/14/2024

Name and Phone (of the person completing this request): Oliver Pierson (802) 505-3564

Request is for:

- ☒ Positions funded and attached to a new grant.
☐ Positions funded and attached to an existing grant approved by JFO # _____

1. Name of Granting Agency, Title of Grant, Grant Funding Detail (attach grant documents):

USDA Forest Service, Growing Vermont's Forest Resilience: A Collaborative Strategy, \$5M Grant and a \$500,000 non-competitive funding award to build capacity to support under-served landowners. See attached documents

2. List below titles, number of positions in each title, program area, and limited service end date (information should be based on grant award and should match information provided on the RFR) position(s) will be established only after JFC final approval:

Title* of Position(s) Requested # of Positions Division/Program Grant Funding Period/Anticipated End Date

Communications and Outreach Specialist / Forest Landowner Engagement Specialist / 1 Position / Forests Division / Private Lands Program / September 1, 2024 to December 31, 2028

*Final determination of title and pay grade to be made by the Department of Human Resources Classification Division upon submission and review of Request for Classification Review.

3. Justification for this request as an essential grant program need:

FPR received \$5.5 million to support underserved landowners in VT manage forests so they are more resilient to climate change and can benefit from emerging markets for forest products. To successfully implement the grants, additional capacity for provision of technical assistance, landowner engagement planning, project coordination, and field activity implementation is needed. This project will significantly increase demands on FPR staff, and we do not currently possess adequate capacity to take on this additional work. To meet both existing demands and increased demands from this project, FPR proposes to hire additional staff, including this communications & outreach specialist.

I certify that this information is correct and that necessary funding, space and equipment for the above position(s) are available (required by 32 VSA Sec. 5(b)).

Danielle Fitzko

Digitally signed by Danielle Fitzko
Date: 2024.06.14 12:55:22 -04'00'

6/14/2024

Signature of Agency or Department Head

Date

David Fuller

Digitally signed by David Fuller
Date: 2024.07.26 06:37:28 -04'00'

Approved/Denied by Department of Human Resources

Date

Adam Greshin

Digitally signed by Adam Greshin
Date: 2024.11.19 17:48:47 -05'00'

Approved/Denied by Finance and Management

Date

Sarah Clark

12/1/2024 | 4:45:19 EST

Approved/Denied by Secretary of Administration

Date

Approved/Denied by Governor (required as amended by 2019 Leg. Session)

Date

Comments:

STATE OF VERMONT
Joint Fiscal Committee Review
Limited Service - Grant Funded
Position Request Form

This form is to be used by agencies and departments when additional grant funded positions are being requested. Review and approval by the Department of Human Resources must be obtained prior to review by the Department of Finance and Management. The Department of Finance will forward requests to the Joint Fiscal Office for JFC review. A Request for Classification Review Form (RFR) and an updated organizational chart showing to whom the new position(s) would report must be attached to this form. Please attach additional pages as necessary to provide enough detail.

Agency/Department: Agency of Natural Resources / Dept of Forests, Parks & Recreation Date: 06/14/2024

Name and Phone (of the person completing this request): Oliver Pierson (802) 505-3564

Request is for:

- ☒ Positions funded and attached to a new grant.
☐ Positions funded and attached to an existing grant approved by JFO # _____

1. Name of Granting Agency, Title of Grant, Grant Funding Detail (attach grant documents):

USDA Forest Service, Growing Vermont's Forest Resilience: A Collaborative Strategy, \$5M Grant and a \$500,000 non-competitive funding award to build capacity to support under-served landowners. See attached documents

2. List below titles, number of positions in each title, program area, and limited service end date (information should be based on grant award and should match information provided on the RFR) position(s) will be established only after JFC final approval:

Title* of Position(s) Requested # of Positions Division/Program Grant Funding Period/Anticipated End Date

Forestry Professional III / Underserved Landowner Technical Support Specialist / 1 Position / Forests Division / Private Lands Program / September 1, 2024 to December 31, 2028

*Final determination of title and pay grade to be made by the Department of Human Resources Classification Division upon submission and review of Request for Classification Review.

3. Justification for this request as an essential grant program need:

FPR received \$5.5 million to support underserved landowners in VT manage forests so they are more resilient to climate change and can benefit from emerging markets for forest products. To successfully implement the grants, additional capacity for provision of technical assistance, landowner engagement planning, project coordination, and field activity implementation is needed. This project will significantly increase demands on FPR staff, and we do not currently possess adequate capacity to take on this additional work. To meet both existing demands and increased demands from this project, FPR proposes to hire additional staff, including this direct landowner support position.

I certify that this information is correct and that necessary funding, space and equipment for the above position(s) are available (required by 32 VSA Sec. 5(b)).

Danielle Fitzko

Digitally signed by Danielle Fitzko
Date: 2024.06.14 12:57:49 -04'00'

6/14/2024

Signature of Agency or Department Head

Date

David Fuller

Digitally signed by David Fuller
Date: 2024.07.26 06:38:54 -04'00'

Approved/Denied by Department of Human Resources

Date

Adam Greshin

Digitally signed by Adam Greshin
Date: 2024.11.19 17:49:30 -05'00'

Approved/Denied by Department of Finance and Management

Date

Sarah Clark

12/1/2024 | 4:45:19 EST

Approved/Denied by Secretary of Administration

Date

Approved/Denied by Governor (required as amended by 2019 Leg. Session)

Date

Comments:

STATE OF VERMONT
Joint Fiscal Committee Review
Limited Service - Grant Funded
Position Request Form

This form is to be used by agencies and departments when additional grant funded positions are being requested. Review and approval by the Department of Human Resources must be obtained prior to review by the Department of Finance and Management. The Department of Finance will forward requests to the Joint Fiscal Office for JFC review. A Request for Classification Review Form (RFR) and an updated organizational chart showing to whom the new position(s) would report must be attached to this form. Please attach additional pages as necessary to provide enough detail.

Agency/Department: ANR/Secretary's Office Date: 6/12/2024

Name and Phone (of the person completing this request): Danielle Fitzko, FPR Commissioner

Request is for:

- ☐ Positions funded and attached to a new grant.
☒ Positions funded and attached to an existing grant approved by JFO # _____

1. Name of Granting Agency, Title of Grant, Grant Funding Detail (attach grant documents):

USDA, Forest Service, Forest Legacy Administration, approx. \$1.5. Funding is assigned to existing Catalog of Federal Domestic Assistance (CFDA) number - funding is going into existing programs and augmenting existing funding sources approved in FY25 budget.

2. List below titles, number of positions in each title, program area, and limited service end date (information should be based on grant award and should match information provided on the RFR) position(s) will be established only after JFC final approval:

Title* of Position(s) Requested	# of Positions	Division/Program	Grant Funding Period/Anticipated End Date
Staff Attorney III - Exempt	1	Legal	Annual Infrastructure Reduction Act (IRA) funding for five years with five years to spend on each annual grant. End date of 9/30/2029, but could be extended based on available grant funds.

*Final determination of title and pay grade to be made by the Department of Human Resources Classification Division upon submission and review of Request for Classification Review.

3. Justification for this request as an essential grant program need:

The Department will receive \$1.5 million in IRA funds to be spent by 2032 to bolster the Forest Legacy Program's capacity for increased conservation efforts beyond regular funding levels to help administer over 700 million in funding available nationally. An attorney will be utilized to leverage federal funds to support land conservation, aligning with Act 59's goals of accelerating conservation to achieve the 30x30 and 50x50 targets. This position's focus will be on providing legal support for fee acquisitions and conservation easements funded through the Forest Legacy Program, enhancing our ability to protect valuable lands.

I certify that this information is correct and that necessary funding, space and equipment for the above position(s) are available (required by 32 VSA Sec. 5(b)).

Danielle Fitzko

Digitally signed by Danielle Fitzko
Date: 2024.06.14 13:27:38 -04'00'

6/14/2024

Signature of Agency or Department Head

Date

David Fuller

Digitally signed by David Fuller
Date: 2024.07.26 06:34:29 -04'00'

Approved/Denied by Department of Human Resources

Date

Adam Greshin

Digitally signed by Adam Greshin
Date: 2024.11.19 17:50:26 -05'00'

Approved/Denied by Finance and Management

Date

Sarah Clark

12/1/2024 | 4:45:19 EST

Approved/Denied by Secretary of Administration

Date

Approved/Denied by Governor (required as amended by 2019 Leg. Session)

Date

Comments:

**FEDERAL FINANCIAL ASSISTANCE
AWARD OF DOMESTIC GRANT 24-DG-11094200-285
Between
DEPARTMENT OF FORESTS PARKS & RECREATION VERMONT
And The
USDA, FOREST SERVICE
EASTERN REGION, STATE, PRIVATE, AND TRIBAL FORESTRY**

Project Title: BUILDING CAPACITY TO ASSIST UNDER SERVED LANDOWNERS AND INCREASE FOREST RESILIENCE THROUGH INTEGRATION OF PROGRAM STRATEGIES

Upon execution of this document, an award to DEPARTMENT OF FORESTS PARKS & RECREATION VERMONT, hereinafter referred to as “the Recipient,” in the amount of **\$500,000.00**, is made under the authority of Cooperative Forestry Assistance Act, P.L. 95-313 as amended, 16 USC 2109a and Public Law 117-169, Subtitle D, Section 23002(a) (1) - (4). The Federal Assistance Listing (formerly Catalog of Federal Domestic Assistance - CFDA) number and name are 10.731 Inflation Reduction Act Landscape Scale Restoration. The Recipient accepts this award for the purpose described in the application narrative. Your application for Federal financial assistance, dated 07/01/2024, and the attached Forest Service provisions, ‘Forest Service Award Provisions,’ are incorporated into this letter and made a part of this award.

This authority requires a match ratio of 80:20 (Federal to non-Federal funds) applied to total project cost. This requirement has been waived under the provision of Subtitle D, Section 23002 of the Inflation Reduction Act (Public Law 117-169) and based on the assurance from the Cooperator that 100% of the work and funding will be directed to benefit underserved landowners.

Please Note:

Justice 40 Initiative. Executive Order (EO) 14008, Tackling the Climate Crisis at Home and Abroad, was signed on January 27, 2021. This EO commits federal agencies to providing 40% of federal benefits to disadvantaged communities. When the cooperator is considering a sub-award or contract to be executed under this agreement, the cooperator shall consider the requirements of EO 14008, section 223, OMB M-21-28 and OMB-23-09.

Investing in America Signage. For any Bipartisan Infrastructure Law or Inflation Reduction Act funded public construction projects over \$250,000, the Cooperator shall visibly post clear and prominent signs acknowledging the source of funding. See Office of Management and Budget Memorandum CA-23-6.

For any construction project less than \$250,000 or a non-construction project, the Cooperator is encouraged to display a poster or utilize other appropriate Investing in America media. Specific sign and poster design criteria may be found in the USDA Style Guide. Production costs of Investing in America signs shall be reasonable. To maintain reasonable costs, the Cooperator is encouraged to use recycled or recovered materials when producing signs. In the event production of such signs and/or posters will result in



unreasonable costs, expenses or burden to the Cooperator, production will not be required, and the Forest Service should be notified.

This is an award of Federal financial assistance. Prime and sub-recipients to this award are subject to the OMB guidance in subparts A through F of 2 CFR Part 200 as adopted and supplemented by the USDA in 2 CFR Part 400. Adoption by USDA of the OMB guidance in 2 CFR 400 gives regulatory effect to the OMB guidance in 2 CFR 200 where full text may be found.

Electronic copies of the CFRs can be obtained at the following internet site: www.ecfr.gov. If you are unable to retrieve these regulations electronically, please contact your Grants and Agreements Office at SM.FS.R9SPFgrants@usda.gov.

The following administrative provisions apply to this award:

- A. **LEGAL AUTHORITY**. The Recipient shall have the legal authority to enter into this award, and the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the project, which includes funds sufficient to pay the non-Federal share of project costs, when applicable.
- B. **PRINCIPAL CONTACTS**. Individuals listed below are authorized to act in their respective areas for matters related to this award.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Name: Keith Thompson Address: 1 National Life Dr, Davis Bldg City, State, Zip: Montpelier, VT 05620 Telephone: 802- 498-5169 Email: keith.thompson@vermont.gov	Name: Nikki Streeter Address: 1 National Life Dr, Davis Bldg City, State, Zip: Montpelier, VT 05620 Telephone: 802-249-3406 Email: nicole.streeter@vermont.gov

Principal Forest Service Contacts:

Forest Service Program Manager Contact	Forest Service Administrative Contact
Name: Peter Beringer Address: 271 Mast Rd City, State, Zip: Durham, NH 03824 Telephone: 603-868-7699 Email: peter.beringer@usda.gov	Name: Tressee Koloski Address: 626 East Wisconsin Ave City, State, Zip: Milwaukee, WI 53202 Telephone: 304-322-5769 Email: tressee.koloski@usda.gov

- C. SYSTEM FOR AWARD MANAGEMENT REGISTRATION REQUIREMENT (SAM). The Recipient shall maintain current organizational information and the original Unique Entity Identifier (UEI) provided for this agreement in the System for Award Management (SAM) until receipt of final payment. This requires annual review and updates, when needed, of organizational information after the initial registration. More frequent review and updates may be required for changes in organizational information or agreement term(s). Any change to the original UEI provided in this agreement will result in termination of this agreement and de-obligation of any remaining funds. For purposes of this agreement, System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a Cooperative. Additional information about registration procedures may be found at the SAM Internet site at www.sam.gov.
- D. ADVANCE AND REIMBURSABLE PAYMENTS – FINANCIAL ASSISTANCE. Advance and reimbursable payments are approved under this award. Only costs for those project activities approved in (1) the initial award, or (2) modifications thereto, are allowable. Requests for payment must be submitted on Standard Form 270 (SF-270), Request for Advance or Reimbursement, and must be submitted no more than monthly. In order to approve a Request for Advance Payment or Reimbursement, the Forest Service shall review such requests to ensure advances or payments for reimbursement are in compliance and otherwise consistent with OMB, USDA, and Forest Service regulations.

Advance payments must not exceed the minimum amount needed or no more than is needed for a 30-day period, whichever is less. If the Recipient receives an advance payment and subsequently requests an advance or reimbursement payment, then the request must clearly demonstrate that the previously advanced funds have been fully expended before the Forest Service can approve the request for payment. Any funds advanced, but not spent, upon expiration of this award must be returned to the Forest Service.

The Program Manager reserves the right to request additional information prior to approving a payment. To expedite payment, please attach a list of expenses that match the approved project budget when submitting each SF-270. Each SF-270 shall include the award number **(24-DG-11094200-285)** in Block 4. A final SF-270 must have a final performance report submitted prior to its approval.

The invoice must be sent by one of three methods:	Send a copy to:
EMAIL (preferred): SM.FS.asc_ga@usda.gov FAX: 877-687-4894 POSTAL: USDA Forester Service Budget & Finance - Grants and Agreements 4000 Masthead St, NE Albuquerque, NM 87109	peter.beringer@usda.gov

- E. INDIRECT COST RATES. The approved indirect cost rate at the time of execution is **28.11%** as shown in the NICRA provided by the Recipient.

As new NICRAs are agreed to between The Recipient and their cognizant audit agency, the revised provisional or final rate(s) are automatically incorporated into this award, as appropriate, and must specify (1) the agreed upon rates, (2) the bases to which the rates apply, (3) the fiscal year for which the rates apply, and (4) the items treated as direct costs. The award obligation will not increase as a result of indirect cost rate increases. Updates to NICRAs will not affect the total funds available for this award unless documented in a formally executed modification.

If the NICRA is for a provisional rate, The Recipient shall be reimbursed at the established provisional rate(s), subject to appropriate adjustment when the final rate(s) for the fiscal year are established.

- F. PRIOR WRITTEN APPROVAL. The Recipient shall obtain prior written approval pursuant to conditions set forth in 2 CFR 200.407.
- G. MODIFICATIONS. Modifications within the scope of this award must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 90 days prior to implementation of the requested change. The Forest Service is not obligated to fund any changes not properly approved in advance.
- H. PERIOD OF PERFORMANCE. This agreement is executed as of the date of the Forest Service signatory official signature. Pre-award costs are authorized as of **08/27/2024** pursuant to 2 CFR 200.458.

The end date, or expiration date is **08/27/2029**. This instrument may be extended by a properly executed modification. *See Modification Provision above.*

I. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this award. In witness whereof the parties hereto have executed this award.

Danielle
Fitzko

Digitally signed by
Danielle Fitzko
Date: 2024.09.05
07:35:55 -04'00'

9/5/24

Danielle Fitzko
Commissioner
Department of Forests, Parks and Recreation

Date

ROBERT
LUECKEL

Digitally signed by
ROBERT LUECKEL
Date: 2024.09.05
08:47:36 -05'00'

9/5/24

ROBERT LUECKEL
Deputy Regional Forester
Eastern Region, State, Private, and Tribal Forestry

Date

The authority and the format of this award have been reviewed and approved for signature.

TRESSEE
KOLOSKI

Digitally signed by
TRESSEE KOLOSKI
Date: 2024.08.28
12:51:56 -04'00'

8/28/24

TRESSEE A. KOLOSKI
Grants Management Specialist
Eastern Region, State, Private, and Tribal Forestry

Date

ATTACHMENT A: FOREST SERVICE AWARD PROVISIONS

- A. COLLABORATIVE ARRANGEMENTS. Where permitted by terms of the award and Federal law, The Recipient may enter into collaborative arrangements with other organizations to jointly carry out activities with Forest Service funds available under this award.
- B. FOREST SERVICE LIABILITY TO THE RECIPIENT. The United States shall not be liable to The Recipient for any costs, damages, claims, liabilities, and judgments that arise in connection with the performance of work under this award, including damage to any property owned by The Recipient or any third party.
- C. NOTICES. Any notice given by the Forest Service or the Recipient will be sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the Forest Service Program Manager, at the address specified in the award.

To the Recipient, at the address shown in the award or such other address designated within the award.

Notices will be effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- D. SUBAWARDS. Prior approval is required to issue subawards under this grant. The intent to subaward must be identified in the approved budget and scope of work and approved in the initial award or through subsequent modifications. Approval of each individual subaward is not required, however the cooperator must document that each sub-recipient does NOT have active exclusions in the System for Award Management (sam.gov).

The Cooperator must also ensure that they have evaluated each subrecipient's risk in accordance with 2 CFR 200.332 (b).

Any subrecipient under this award must be notified that they are subject to the OMB guidance in subparts A through F of 2 CFR Part 200, as adopted and supplemented by the USDA in 2 CFR Part 400. Any sub-award must follow the regulations found in 2 CFR 200.331 through .333.

All subawards \$30,000 or more must be reported at fsrs.gov in compliance with 2 CFR 170. See Attachment B for full text.

- E. FINANCIAL STATUS REPORTING. A Federal Financial Report, Standard Form SF-425 (and Federal Financial Report Attachment, SF-425A, if required for reporting multiple awards), must be submitted semi-annually. These reports are due 30 days after the reporting period ending June 30th and December 31st. The final SF-425 (and SF-425A, if applicable) must be submitted either with the final payment request or no later than 120 days from the expiration date of the award. These forms may be found at <https://www.grants.gov/web/grants/forms.html>.

- F. PROGRAM PERFORMANCE REPORTS. The recipient shall perform all actions identified and funded in application/modification narratives within the performance period identified in award.

In accordance with 2 CFR 200.301, reports must relate financial data to performance accomplishments of the federal award.

The Recipient shall submit semi-annual performance reports. These reports are due 30 days after the reporting period ending June 30th and December 31st. The final performance report shall be submitted either with the Recipient's final payment request, or separately, but not later than 120 days from the expiration date of the award.

- Additional pertinent information:
 - To prevent payment delays, all reports should be emailed to SM.FS.R9SPFgrants@usda.gov and the U.S. Forest Service Program Manager prior to their respective due dates. Please ensure the subject line of the email contains the award number (24-DG-11094200-285) and the name of report being submitted.
 - There is no required form or format for narrative performance reports. The awardee should as a minimum consider the following questions when developing narrative performance reports:
 - What have you accomplished? What progress have you made toward the deliverables identified in your scope of work? Note quantifiable progress toward identified indicators and compare to the objectives established in the agreement narrative.
 - What challenges have you encountered or identified in your work and how have you addressed these challenges?
 - What activities and accomplishments do you anticipate during the next reporting period?
 - In addition to the required SF-425 form, a financial report summarizing expenditures by cost category should be submitted for the period of performance. There is no required form or format for this financial report. The submitted financial information should provide sufficient detail to provide a clear link between the narrative performance report and the numbers presented in the SF-425 form.
 - Accomplishment reporting should align with Forest Stewardship Program reporting requirements and deadlines. The awardee should use SMART (or SADL) and SMARTar to enter accomplishment data.
 - The final performance report must be submitted and approved prior to approval of the final SF-270 payment request.

- G. NOTIFICATION. The Recipient shall immediately notify the Forest Service of developments that have a significant impact on the activities supported under this award. Also, notification must be given in case of problems, delays or adverse conditions that materially impair the ability to meet the objectives of the award. This notification must include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.
- H. CHANGES IN KEY PERSONNEL. Any revision to key personnel identified in this award requires notification of the Forest Service Program Manager by email or letter.
- I. USE OF FOREST SERVICE INSIGNIA. In order for The Recipient to use the Forest Service insignia on any published media, such as a Web page, printed publication, or audiovisual production, permission must be granted by the Forest Service's Office of Communications (Washington Office). A written request will be submitted by Forest Service, Program Manager, to the Office of Communications Assistant Director, Visual Information and Publishing Services prior to use of the insignia. The Forest Service Program Manager will notify The Recipient when permission is granted.
- J. FUNDING EQUIPMENT. Federal funding under this award is not available for reimbursement of the Recipient's purchase of equipment. Equipment is defined as having a fair market value of \$5,000 or more per unit and a useful life of over one year. Supplies are those items that are not equipment.
- K. PUBLIC NOTICES. It is Forest Service's policy to inform the public as fully as possible of its programs and activities. The Recipient is encouraged to give public notice of the receipt of this award and, from time to time, to announce progress and accomplishments.

The Recipient may call on Forest Service's Office of Communication for advice regarding public notices. The Recipient is requested to provide copies of notices or announcements to the Forest Service Program Manager and to Forest Service's Office Communications as far in advance of release as possible.

- L. FOREST SERVICE ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS, AND ELECTRONIC MEDIA. The Recipient shall acknowledge Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this award. Follow direction in USDA Supplemental 2 CFR 415.2.

All publications, audiovisuals, and electronic media developed as a result of this award should acknowledge Forest Service Support and must include the following statement: 'This [publication/website/media] is supported by the USDA Forest Service. The contents are those of the author(s) and do not necessarily represent the official views of, nor an endorsement by, the Forest Service, U.S. Department of Agriculture, or the U.S. Government.'

- M. COPYRIGHTING. The Recipient is/are granted sole and exclusive right to copyright any publications developed as a result of this award. This includes the right to publish and vend throughout the world in any language and in all media and forms, in whole or in part, for the full term of copyright and all renewals thereof in accordance with this award.

No original text or graphics produced and submitted by the Forest Service shall be copyrighted. The Forest Service reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use the work for federal government purposes.

This right shall be transferred to any sub-awards or subcontracts.

This provision includes:

- The copyright in any work developed by the Recipient under this award.
- Any right of copyright to which the Recipient purchase(s) ownership with any federal contributions.

N. NONDISCRIMINATION STATEMENT – PRINTED, ELECTRONIC, OR AUDIOVISUAL MATERIAL. The Recipient shall include the following statement, in full, in any printed, audiovisual material, or electronic media for public distribution developed or printed with any Federal funding.

In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at <https://www.ocio.usda.gov/document/ad-3027>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

- (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410; o*
- (2) Fax: (833) 256-1665 or (202) 690-7442; or*
- (3) Email: program.intake@usda.gov.*

If the material is too small to permit the full Non-Discrimination Statement to be included, the material will, at a minimum, include the alternative statement:

“This institution is an equal opportunity provider.”

- O. DISPUTES. In the event of any issue of controversy under this agreement, the parties may pursue Alternate Dispute Resolution (ADR) procedures to voluntarily resolve those issues. These procedures may include, but are not limited to conciliation, facilitation, mediation, and fact finding.

Should the parties be unable to resolve the issue of controversy through ADR, then the Signatory Official will make the decision. A written copy of the decision will be provided to the Cooperator.

Decisions of the Signatory Official shall be final unless, within 30 days of receipt of the decision of the Signatory Official, the Cooperator appeals the decision to the Forest Service's Deputy Chief, State, Private, and Tribal Forestry (SPTF). Any appeal made under this provision shall be in writing and addressed to the Deputy Chief, SPTF, USDA, Forest Service, Washington, DC 20024. A copy of the appeal shall be concurrently furnished to the Signatory Official.

A decision under this provision by the Deputy Chief, SPTF, is final. The final decision by the Deputy Chief, SPTF, does not preclude the Cooperator from pursuing remedies available under the law.

- P. AWARD CLOSEOUT. The Recipient must submit, no later than 120 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award.

Any unobligated balance of cash advanced to The Recipient must be immediately refunded to the Forest Service, including any interest earned in accordance with 2 CFR 200.344(d).

If this award is closed without audit, the Forest Service reserves the right to disallow and recover an appropriate amount after fully considering any recommended disallowances resulting from an audit which may be conducted later.

- Q. TERMINATION. This award may be terminated, in whole or part pursuant to 2 CFR 200.340.

- R. DEBARMENT AND SUSPENSION. The Recipient shall immediately inform the Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should the Recipient or any of their principals receive a transmittal letter or other official federal notice of debarment or suspension, then they shall notify the Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary. The Recipient shall adhere to 2 CFR Part 180 Subpart C in regards to review of sub-recipients or contracts for debarment and suspension.

All subrecipients and contractors must complete the form AD-1048, Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, Lower Tier Covered Transactions. Blank forms are available electronically. Completed forms must be kept on file with the primary recipient.

- S. MEMBERS OF CONGRESS. Pursuant to 41 U.S.C. 22, no member of, or delegate to, Congress shall be admitted to any share or part of this award, or benefits that may arise therefrom, either directly or indirectly.
- T. SCIENTIFIC INTEGRITY: USDA is committed to the highest levels of integrity in all of our scientific activities and decision making. This includes to performing, recording and reporting the results of scientific activities with honesty, objectivity, and transparency. All persons performing under this agreement shall adhere to the principles of scientific integrity described in [Departmental Regulation \(DR\) 1074-001](#).
- U. GEOSPATIAL DATA. All data collected will meet the requirements of the Geospatial Data Act of 2018 where applicable. This will always include the documentation of all relevant metadata standards, use of standard data formats; description of quantitative measures of uncertainty and source of uncertainty and sources of uncertainty associated with the data. Additionally, the data must meet specific standards specified elsewhere to ensure the data is useful to support the USDA's mission. The recipient/cooperator agrees to comply with USDA's Department-wide enterprise geospatial data management policy implemented in [Departmental Regulation 3465-001](#) which establishes the USDA policy for defining the strategic direction necessary to optimize the management of the USDA geospatial data and geospatial infrastructure, including all geospatial data created for, by, and enhanced by USDA.
- V. PUBLIC ACCESS TO SCHOLARLY PUBLICATIONS AND DIGITAL SCIENTIFIC RESEARCH DATA. The recipient agrees to comply with USDA's Department-wide [public access policy](#) implemented in [Departmental Regulation 1020-006](#) which establishes the USDA policy for public access to scholarly publications and digital scientific research data assets. The USDA will make all peer-reviewed, scholarly publications and digital scientific research data assets arising from unclassified scientific research supported wholly or in part by the USDA accessible to the public, to the extent practicable.
- W. BUY AMERICA BUILD AMERICA. Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for an infrastructure project unless:
- (1) All iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
 - (2) All manufactured products used in the project are produced in the United States— this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard that meets or exceeds this standard has been established under applicable law or regulation for determining the minimum amount of domestic content of the manufactured product; and

(3) All construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The construction material standards are listed below.

Incorporation into an infrastructure project. The Buy America Preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America Preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

Categorization of articles, materials, and supplies. An article, material, or supply should only be classified into one of the following categories: (i) Iron or steel products; (ii) Manufactured products; (iii) Construction materials; or (iv) Section 70917(c) materials. An article, material, or supply should not be considered to fall into multiple categories. In some cases, an article, material, or supply may not fall under any of the categories listed in this paragraph. The classification of an article, material, or supply as falling into one of the categories listed in this paragraph must be made based on its status at the time it is brought to the work site for incorporation into an infrastructure project. In general, the work site is the location of the infrastructure project at which the iron, steel, manufactured products, and construction materials will be incorporated.

Application of the Buy America Preference by category. An article, material, or supply incorporated into an infrastructure project must meet the Buy America Preference for only the single category in which it is classified.

Determining the cost of components for manufactured products. In determining whether the cost of components for manufactured products is greater than 55 percent of the total cost of all components, use the following instructions:

(a) For components purchased by the manufacturer, the acquisition cost, including transportation costs to the place of incorporation into the manufactured product (whether or not such costs are paid to a domestic firm), and any applicable duty (whether or not a duty-free entry certificate is issued); or

(b) For components manufactured by the manufacturer, all costs associated with the manufacture of the component, including transportation costs as described in paragraph (a), plus allocable overhead costs, but excluding profit. Cost of components does not include any costs associated with the manufacture of the manufactured product.

Construction material standards. The Buy America Preference applies to the following construction materials incorporated into infrastructure projects. Each construction material is followed by a standard for the material to be considered “produced in the

United States.” Except as specifically provided, only a single standard should be applied to a single construction material.

- (1) Non-ferrous metals. All manufacturing processes, from initial smelting or melting through final shaping, coating, and assembly, occurred in the United States.
- (2) Plastic and polymer-based products. All manufacturing processes, from initial combination of constituent plastic or polymer-based inputs, or, where applicable, constituent composite materials, until the item is in its final form, occurred in the United States.
- (3) Glass. All manufacturing processes, from initial batching and melting of raw materials through annealing, cooling, and cutting, occurred in the United States.
- (4) Fiber optic cable (including drop cable). All manufacturing processes, from the initial ribboning (if applicable), through buffering, fiber stranding and jacketing, occurred in the United States. All manufacturing processes also include the standards for glass and optical fiber, but not for non-ferrous metals, plastic and polymer-based products, or any others.
- (5) Optical fiber. All manufacturing processes, from the initial preform fabrication stage through the completion of the draw, occurred in the United States.
- (6) Lumber. All manufacturing processes, from initial debarking through treatment and planning, occurred in the United States.
- (7) Drywall. All manufacturing processes, from initial blending of mined or synthetic gypsum plaster and additives through cutting and drying of sandwiched panels, occurred in the United States.
- (8) Engineered wood. All manufacturing processes from the initial combination of constituent materials until the wood product is in its final form, occurred in the United States.

Waivers. When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements.

When the Federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the Buy America Preference in any case in which the agency determines that:

- (1) applying the Buy America Preference would be inconsistent with the public interest;

- (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
- (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the Buy America Preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described at [USDA Buy America Waivers for Federal Financial Assistance | USDA](#).

Definitions

“Buy America Preference” means the “domestic content procurement preference” set forth in section 70914 of the Build America, Buy America Act, which requires the head of each Federal agency to ensure that none of the funds made available for a Federal award for an infrastructure project may be obligated unless all of the iron, steel, manufactured products, and construction materials incorporated into the project are produced in the United States.

“Construction materials” means articles, materials, or supplies that consist of only one of the items listed in paragraph (1) of this definition, except as provided in paragraph (2) of this definition. To the extent one of the items listed in paragraph (1) contains as inputs other items listed in paragraph (1), it is nonetheless a construction material.

- (1) The listed items are:
 - (i) Non-ferrous metals;
 - (ii) Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
 - (iii) Glass (including optic glass);
 - (iv) Fiber optic cable (including drop cable);
 - (v) Optical fiber;
 - (vi) Lumber;
 - (vii) Engineered wood; and
 - (viii) Drywall.

- (2) Minor additions of articles, materials, supplies, or binding agents to a construction material do not change the categorization of the construction material.

“Infrastructure” means public infrastructure projects in the United States, which includes, at a minimum, the structures, facilities, and equipment for roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property; and structures, facilities, and equipment that generate, transport, and distribute energy including electric vehicle (EV) charging.

“Infrastructure project” means any activity related to the construction, alteration, maintenance, or repair of infrastructure in the United States regardless of whether infrastructure is the primary purpose of the project. See also paragraphs (c) and (d) of 2 CFR 184.4.

“Iron or steel products” means articles, materials, or supplies that consist wholly or predominantly of iron or steel or a combination of both.

X. TRAFFICKING IN PERSONS.

1. Provisions applicable to a Recipient that is a private entity.
 - a. You as the Recipient, your employees, Subrecipients under this award, and Subrecipients’ employees may not:
 - (1) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procure a commercial sex act during the period of time that the award is in effect; or
 - (3) Use forced labor in the performance of the award or subawards under the award.
 - b. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a Subrecipient that is a private entity:
 - (1) Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - (2) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either:
 - i. Associated with performance under this award; or
 - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement),”.

2. Provision applicable to a Recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:
 - a. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
 - b. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
 - (1) Associated with performance under this award; or
 - (2) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),”
3. Provisions applicable to any recipient.
 - a. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
 - b. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - (1) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - (2) Is in addition to all other remedies for noncompliance that are available to us under this award.
 - c. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
4. Definitions. For purposes of this award term:
 - a. “Employee” means either:
 - (1) An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - (2) Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
 - b. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 - c. “Private entity”:
 - (1) Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
 - (2) Includes:
 - i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - ii. A for-profit organization.

- d. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

Y. DRUG-FREE WORKPLACE.

1. The Recipient agree(s) that it will publish a drug-free workplace statement and provide a copy to each employee who will be engaged in the performance of any project/program that receives federal funding. The statement must
 - a. Tell the employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace;
 - b. Specify the actions the Recipient will take against employees for violating that prohibition; and
 - c. Let each employee know that, as a condition of employment under any award, the employee:
 - (1) Shall abide by the terms of the statement, and
 - (2) Shall notify The Recipient in writing if they are convicted for a violation of a criminal drug statute occurring in the workplace, and shall do so no more than 5 calendar days after the conviction.
2. The Recipient agree(s) that it will establish an ongoing drug-free awareness program to inform employees about
 - a. The dangers of drug abuse in the workplace;
 - b. The established policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation and employee assistance programs; and
 - d. The penalties that you may impose upon them for drug abuse violations occurring in the workplace.
3. Without the Program Manager’s expressed written approval, the policy statement and program must be in place as soon as possible, no later than the 30 days after the effective date of this instrument, or the completion date of this award, whichever occurs first.
4. The Recipient agrees to immediately notify the Program Manager if an employee is convicted of a drug violation in the workplace. The notification must be in writing, identify the employee’s position title, the award number of each award on which the employee worked. The notification must be sent to the Program Manager within 10 calendar days after The Recipient learns of the conviction.
5. Within 30 calendar days of learning about an employee’s conviction, the Recipient must either
 - a. Take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 (29 USC 794), as amended, or

- b. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

Z. PROHIBITION AGAINST USING FUNDS WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS.

1. The recipient may not require its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting them from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
2. The recipient must notify its employees, contractors, or subrecipients that the prohibitions and restrictions of any internal confidentiality agreements inconsistent with paragraph (1) of this award provision are no longer in effect.
3. The prohibition in paragraph (1) of this award provision does not contravene requirements applicable to any other form issued by a Federal department or agency governing the nondisclosure of classified information.
4. If the Government determines that the recipient is not in compliance with this award provision, it;
 - a. Will prohibit the recipient's use of funds under this award in accordance with sections 743, 744 of Division E of the Consolidated Appropriations Act, 2016, (Pub. L. 114-113) or any successor provision of law; and
 - b. May pursue other remedies available for the recipient's material failure to comply with award terms and conditions.

AA. ELIGIBLE WORKERS. The Recipient shall ensure that all employees complete the I-9 form to certify that they are eligible for lawful employment under the Immigration and Nationality Act (8 U.S.C. 1324(a)). The Recipient shall comply with regulations regarding certification and retention of the completed forms. These requirements also apply to any contract or supplemental instruments awarded under this award.

BB. FREEDOM OF INFORMATION ACT (FOIA). Public access to award or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552). Requests for research data are subject to 2 CFR 315(e).

Public access to culturally sensitive data and information of Federally-recognized Tribes may also be explicitly limited by P.L. 110-234, Title VIII Subtitle B §8106 (2009 Farm Bill).

CC. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government

business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All Cooperators, their Employees, Volunteers, and Contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.

DD. PROMOTING FREE SPEECH AND RELIGIOUS FREEDOM. As a recipient of USDA financial assistance, you will comply with the following:

1. Do not discriminate against applicants for sub-grants on the basis of their religious character.
2. 7 Code of Federal Regulations (CFR) part 16.3(a), Rights of Religious Organizations.
3. Statutory and National policy requirements, including those prohibiting discrimination and those described in Executive Order 13798 promoting free speech and religious freedom, 2 CFR 200.300.

EE. PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT. The cooperator (including subrecipients) is responsible for compliance with the prohibition on certain telecommunications and video surveillance services or equipment identified in 2 CFR 200.216. See Public Law 115-232, Section 889 for additional information.

In accordance with 2 CFR 200.216, the grantee (including subrecipients) is prohibited from obligating or expending loan or grant funds for covered telecommunications equipment or services to:

- (1) procure or obtain, extend or renew a contract to procure or obtain;
- (2) enter into a contract (or extend or renew a contract) to procure; or
- (3) obtain the equipment, services or systems.

FF. DAVIS BACON WAGES FOR CONSTRUCTION. Following the requirement in Section 41101 of the Bipartisan Infrastructure Law, P.L. 117-58, Davis-Bacon wage rates must be applied for all laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration, or repair work on a project assisted in whole or in part by funding made available under this Act. Laborers and mechanics shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the “Davis-Bacon Act”).

ATTACHMENT B: 2 CFR PART 170

Appendix A to Part 170—Award Term

I. Reporting Subawards and Executive Compensation

a. *Reporting of first-tier subawards.*

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that equals or exceeds \$30,000 in Federal funds for a subaward to a non-Federal entity or Federal agency (see definitions in paragraph e. of this award term).
2. *Where and when to report.*
 - i. The non-Federal entity or Federal agency must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
 - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. *Reporting total compensation of recipient executives for non-Federal entities.*

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
 - i. The total Federal funding authorized to date under this Federal award equals or exceeds \$30,000 as defined in 2 CFR 170.320;
 - ii. in the preceding fiscal year, you received—
 - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards), and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and,
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:
 - i. As part of your registration profile at <https://www.sam.gov>.
 - ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. *Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier non-Federal entity subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most

highly compensated executives for the subrecipient's preceding completed fiscal year, if—

- i. in the subrecipient's preceding fiscal year, the subrecipient received—
 - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards) and,
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execom.htm>.)
2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:
- i. To the recipient.
 - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.
- d. *Exemptions.*
If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:
- i. Subawards, and
 - ii. The total compensation of the five most highly compensated executives of any subrecipient.
- e. *Definitions.* For purposes of this award term:
1. Federal Agency means a Federal agency as defined at 5 U.S.C. 551(1) and further clarified by 5 U.S.C. 552(f).
 2. Non-Federal *entity* means all of the following, as defined in 2 CFR part 25:
 - i. A Governmental organization, which is a State, local government, or Indian tribe;
 - ii. A foreign public entity;
 - iii. A domestic or foreign nonprofit organization; and,
 - iv. A domestic or foreign for-profit organization
 3. *Executive* means officers, managing partners, or any other employees in management positions.
 4. *Subaward:*
 - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.331).
 - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

5. *Subrecipient* means a non-Federal entity or Federal agency that:
 - i. Receives a subaward from you (the recipient) under this award; and
 - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
6. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)).

END OF ATTACHMENT B: 2 CFR PART 170

ATTACHMENT C: WHISTLEBLOWER NOTICE

Whistleblowers perform an important service to USDA and the public when they come forward with what they reasonably believe to be evidence of wrongdoing. They should never be subject to reprisal for doing so. Federal law protects federal employees as well as personal services contractors and employees of Federal contractors, subcontractors, grantees, and subgrantees against reprisal for whistleblowing. USDA bears the responsibility to ensure that nothing in a non-disclosure agreement which a contractor, subcontractor, grantee, or subgrantee requires their employees to sign should be interpreted as limiting their ability to provide information to the Office of Inspector General (OIG).

41 U.S.C. § 4712 requires the head of each executive agency to ensure that its contractors inform their workers in writing of the rights and remedies under the statute. Accordingly, it is illegal for a personal services contractor or an employee of a Federal contractor, subcontractor, grantee, or subgrantee to be discharged, demoted, or otherwise discriminated against for making a protected whistleblower disclosure. In this context, these categories of individuals are whistleblowers who disclose information that the individual reasonably believes is evidence of one of the following:

- Gross mismanagement of a Federal contract or grant;
- A gross waste of Federal funds;
- An abuse of authority relating to a Federal contract or grant;
- A substantial and specific danger to public health or safety; or
- A violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

To be protected under 41 U.S.C. § 4712, the disclosure must be made to one of the following:

- A Member of Congress, or a representative of a committee of Congress;
- The OIG;
- The Government Accountability Office (GAO);
- A Federal employee responsible for contract or grant oversight or management at USDA;
- An otherwise authorized official at USDA or other law enforcement agency;
- A court or grand jury; or
- A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

Under 41 U.S.C. § 4712, personal services contractors as well as employees of contractors, subcontractors, grantees, or subgrantees may file a complaint with OIG, who will investigate the matter unless they determine that the complaint is frivolous, fails to allege a violation of the prohibition against whistleblower reprisal, or has been addressed in another proceeding. OIG's investigation is then presented to the head of the executive agency who evaluates the facts of the investigation and can order the contractor, subcontractor, grantee, or subgrantee to take remedial action, such as reinstatement or back pay.

Federal Acquisition Regulation (FAR) Subpart 3.903, *Whistleblower Protections for Contractor Employees, Policy*, prohibits government contractors from retaliating against a contract worker for making a protected disclosure related to the contract. FAR Subpart 3.909-1 prohibits the Government from using funds for a contract with an entity that requires its employees or subcontractors to sign internal confidentiality statements prohibiting or restricting disclosures of fraud, waste, or abuse to designated persons. This prohibition does not contravene agreements pertaining to classified information. The regulation also requires contracting officers to insert FAR clause 52.203-17, *Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights*, in all solicitations and contracts that exceed the Simplified Acquisition Threshold as defined in FAR Subpart 3.908. This clause requires notification to contractor employees that they are subject to the whistleblower rights and remedies referenced in 41 U.S.C. § 4712.

In order to make a complaint alleging any of the violations mentioned above, one should complete the OIG Hotline form located at: <https://www.usda.gov/oig/hotline>. For additional information, they may also visit the WPC's webpage at: <https://www.usda.gov/oig/wpc> or they may directly contact the WPC at OIGWPC@oig.usda.gov.

View Burden Statement

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 02/28/2025

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)		Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
			Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.	FY22 IRA Forest Landowner Support		\$ 500,000.00	\$	\$	\$	\$ 500,000.00
2.							
3.							
4.							
5.	Totals		\$ 500,000.00	\$	\$	\$	\$ 500,000.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	FY22 IRA Forest Landowner Support				
a. Personnel	\$ 251,215.00	\$	\$	\$	\$ 251,215.00
b. Fringe Benefits	138,168.00				138,168.00
c. Travel					
d. Equipment					
e. Supplies	20,000.00				20,000.00
f. Contractual					
g. Construction					
h. Other	20,000.00				20,000.00
i. Total Direct Charges (sum of 6a-6h)	429,383.00				\$ 429,383.00
j. Indirect Charges	70,617.00				\$ 70,617.00
k. TOTALS (sum of 6i and 6j)	\$ 500,000.00	\$	\$	\$	\$ 500,000.00
7. Program Income	\$	\$	\$	\$	\$

Authorized for Local Reproduction

SECTION C - NON-FEDERAL RESOURCES						
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS	
8.		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	
9.		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
10.		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
11.		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
12. TOTAL (sum of lines 8-11)		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	
SECTION D - FORECASTED CASH NEEDS						
		Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
14. Non-Federal		\$ <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
15. TOTAL (sum of lines 13 and 14)		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT						
(a) Grant Program		FUTURE FUNDING PERIODS (YEARS)				
		(b)First	(c) Second	(d) Third	(e) Fourth	
16.		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	
17.		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
18.		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
19.		<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
20. TOTAL (sum of lines 16 - 19)		\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	
SECTION F - OTHER BUDGET INFORMATION						
21. Direct Charges:		<input type="text"/>		22. Indirect Charges: Fixed; 23.94; Total \$96,579.00		
23. Remarks:		<input type="text"/>				

From: [Koloski, Tressee - FS, PA](#)
To: [Streeter, Nicole](#)
Cc: [Beringer, Peter - FS, NH](#); [Thompson, Keith](#); [Bloomer, Ansley](#); [Luce, Dani](#)
Subject: FULLY EXECUTED: FS Grant 24-DG-11094200-285, IRA LOA
Date: Monday, September 9, 2024 9:27:32 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[24-DG-11094200-285 Original Proposal.pdf](#)
[24-DG-110924200-285 Award Letter Exec 9.5.24.pdf](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello,

Attached is the executed FFA Award of Domestic Grant letter for 24-DG-11094200-285 for your files.

A couple of reminders as you begin working this grant:

Your Sam registration expires on 5/16/2025, if the SAM expires your reimbursements may be delayed.

The performance periods of this award are 09/05/2024 to 08/27/2029. This award may not be extended beyond 09/04/2029. Early closeouts are encouraged when all funds have been expended, or the project is complete. Modifications of any type should be requested at least 90 days in advance of the modification need.

Any invoices for work must be for no earlier than the 08/27/2024 start date and end for that invoice no later than the signature date of the invoice.

Invoices must be sent to the ASC GA Payments office at: SM.FS.asc_ga@usda.gov. You must include your award number in its entirety 24-DG-11094200-285 on your SF-270 to ensure timely processing by that office.

Progress Performance Reports are due semi-annually with the first one due no more than 30 days after 12/31/2024; and the first semi-annual Financial Report due no later than 30 days from 12/31/2024. Please review the reporting charts below.

Reports may be sent to the R9 SPF Grants Inbox at: SM.FS.R9SPFgrants@usda.gov.

Please be sure to include your award number of 24-DG-11094200-285.

Report due dates are:

Period End Date	Due Date
12/31/2024	01/31/2025
06/30/2025	07/30/2025
12/31/2025	01/31/2026
06/30/2026	07/30/2026
12/31/2026	01/31/2027
06/30/2027	07/30/2027
12/31/2027	01/31/2028
06/30/2028	07/30/2028
12/31/2028	01/31/2029
06/30/2029	07/30/2029
08/27/2029	12/25/2029

Thanks,



Tressee Koloski
Grants Management Specialist, SP&TF
Forest Service
Eastern Region, State, Private, and Tribal Forestry



Last day to submit Partner Signed awards: 9/10/24.

c: 304-322-5769
tressee.koloski@usda.gov

626 East Wisconsin Ave.
 Milwaukee, WI 53202
www.fs.usda.gov



Caring for the land and serving people

Website: [Working with Eastern Region State and Private Forestry](#)

Share Point: [R9 SPF Grants and Agreements](#)

R9 S&PF G&A Inbox: SM.FS.R9SPFgrants@usda.gov

ASC Invoices Inbox: SM.FS.asc_ga@usda.gov

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

**FEDERAL FINANCIAL ASSISTANCE
AWARD OF COOPERATIVE AGREEMENT 24-CA-11132544-104
Between The
DEPARTMENT OF FORESTS PARKS & RECREATION VERMONT
And The
USDA, FOREST SERVICE
STATE, PRIVATE, AND TRIBAL FORESTRY
COOPERATIVE FORESTRY**

Project Title: Growing Vermont's Forest Resilience: A Collaborative Strategy

Upon execution of this document, an award to Department of Forests Parks & Recreation Vermont, hereinafter referred to as "VTFPR," in the amount of **\$5,000,000**, is made under the authority of the Cooperative Forestry Assistance Act, Public Law 95-313 as amended, 16 USC 2109a (Landscape Scale Restoration) and the Inflation Reduction Act, Public Law 117-169, Subtitle D, Section 23002(a). The Federal Assistance Listing (formerly Catalog of Federal Domestic Assistance - CFDA) number and name are 10.731, IRA Landscape Scale Restoration. VTFPR accepts this award for the purpose described in the application narrative. Your application for Federal financial assistance, dated July 29, 2024, and the attached Forest Service provisions, 'Forest Service Award Provisions,' are incorporated into this letter and made a part of this award.

This authority requires a match ratio of 80:20 (Federal to non-Federal funds) applied to total project cost. This requirement has been waived under the provision of Subtitle D, Section 23002 of the Inflation Reduction Act (Public Law 117-169) and based on the cooperator's assurance that all project activities will benefit underserved and/or small-acreage landowners, all of whom face barriers to participating in emerging private markets for climate mitigation or forest resilience.

Please send all reports to: sm.fs.WOSPFRreports@usda.gov

This is an award of Federal financial assistance. Prime and sub-recipients to this award are subject to the OMB guidance in subparts A through F of 2 CFR Part 200 as adopted and supplemented by the USDA in 2 CFR Part 400. Adoption by USDA of the OMB guidance in 2 CFR 400 gives regulatory effect to the OMB guidance in 2 CFR 200 where full text may be found.

Electronic copies of the CFRs can be obtained at the following internet site: www.ecfr.gov. If you are unable to retrieve these regulations electronically, please contact your Grants and Agreements Office at lynne.sholty@usda.gov.

The following administrative provisions apply to this award:

- A. LEGAL AUTHORITY. VTFPR shall have the legal authority to enter into this award, and the institutional, managerial, and financial capability to ensure proper planning,



management, and completion of the project, which includes funds sufficient to pay the non-Federal share of project costs, when applicable.

- B. STATEMENT OF SUBSTANTIAL INVOLVEMENT. The Forest Service anticipates involvement in this Cooperative Agreement and intends on being substantially involved in the following way(s):

- 1) The Forest Service will review and approve proposed subawards.
- 2) Given the interrelationship among funded IRA Forest Landowner Support projects and overlaps in geographic coverage, the Forest Service will provide specific direction and/or redirection of work as needed to coordinate among funded projects and maximize outcomes and impact.
- 3) Forest Service staff will act as data stewards and managers of federal program data and will steward activity-level geospatial data management, quality assurance, and publication.
- 4) The Forest Service will convene and lead communities of practice, virtual and in-person gatherings focused on coordination and sharing of best practices among awardees and with other key Forest Service partners. The Forest Service will also collect and elevate lessons learned and successes among awardees and with other partners. Communities of practice may be organized around specific geographies and/or technical topics (e.g. effective landowner engagement, emerging private markets for climate mitigation and forest resilience).

- C. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this award.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Keith Thompson 1 National Life Drive - Davis 2, Montpelier, VT 05620-3801 Phone: 802-498-5169 Email: keith.thompson@vermont.gov	Nicole Streeter 1 National Life Drive – Davis 2, Montpelier, VT 05620-3801 Phone: 802-249-3406 Email: Nicole.Streeter@vermont.gov

Principal Forest Service Contacts:

Forest Service Program Manager Contact	Forest Service Administrative Contact
Nikola Smith 201 14 th St SW Washington, DC 20250 Telephone: 503-964-4497 Email: Nikola.smith@usda.gov	Lynne Sholty 26 Fort Missoula Rd Missoula, MT 59804 Telephone: 406-210-6497 Email: lynne.sholty@usda.gov
Peter Bedker 1214 3 rd Ave NE Buffalo, MN 55313 Telephone: 612-470-6171 Email: peter.j.bedker@usda.gov	

- D. **SYSTEM FOR AWARD MANAGEMENT REGISTRATION REQUIREMENT (SAM).** VTFRP shall maintain current organizational information and the original Unique Entity Identifier (UEI) provided for this agreement in the System for Award Management (SAM) until receipt of final payment. This requires annual review and updates, when needed, of organizational information after the initial registration. More frequent review and updates may be required for changes in organizational information or agreement term(s). Any change to the original UEI provided in this agreement will result in termination of this agreement and de-obligation of any remaining funds. For purposes of this agreement, System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a Cooperative. Additional information about registration procedures may be found at the SAM Internet site at www.sam.gov.
- E. **ADVANCE & REIMBURSABLE PAYMENTS – FINANCIAL ASSISTANCE.** Advance and reimbursable payments are approved under this award. Only costs for those project activities approved in (1) the initial award, or (2) modifications thereto, are allowable. Requests for payment must be submitted on Standard Form 270 (SF-270), Request for Advance or Reimbursement, and must be submitted no more than monthly. In order to approve a Request for Advance Payment or Reimbursement, the Forest Service shall review such requests to ensure advances or payments for reimbursement are in compliance and otherwise consistent with OMB, USDA, and Forest Service regulations.

Advance payments must not exceed the minimum amount needed or no more than is needed for a 30-day period, whichever is less. If the Recipient receives an advance payment and subsequently requests an advance or reimbursement payment, then the request must clearly demonstrate that the previously advanced funds have been fully expended before the Forest Service can approve the request for payment. Any funds advanced, but not spent, upon expiration of this award must be returned to the Forest Service.

The Program Manager reserves the right to request additional information prior to approving a payment.

The invoice must be sent by one of three methods: EMAIL (preferred): SM.FS.asc_ga@usda.gov FAX: 877-687-4894 POSTAL: Albuquerque Service Center Payments – Grants & Agreements 101B Sun Ave NE Albuquerque, NM 87109	Send a copy to: Forest Service program managers listed above
---	--

- F. INDIRECT COST RATES. The approved indirect cost rate at the time of execution is **28.11%** as shown in the NICRA provided by the Cooperator.


As new NICRAs are agreed to between VTFRP and their cognizant audit agency, the revised provisional or final rate(s) are automatically incorporated into this award, as appropriate, and must specify (1) the agreed upon rates, (2) the bases to which the rates apply, (3) the fiscal year for which the rates apply, and (4) the items treated as direct costs. The award obligation will not increase as a result of indirect cost rate increases. Updates to NICRAs will not affect the total funds available for this award unless documented in a formally executed modification.

If the NICRA is for a provisional rate, VTFRP shall be reimbursed at the established provisional rate(s), subject to appropriate adjustment when the final rate(s) for the fiscal year are established.

- G. PRIOR WRITTEN APPROVAL. VTFRP shall obtain prior written approval pursuant to conditions set forth in 2 CFR 200.407.
- H. MODIFICATIONS. Modifications within the scope of this award must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least _____ days prior to implementation of the requested change. The Forest Service is not obligated to fund any changes not properly approved in advance.
- I. PERIOD OF PERFORMANCE. This agreement is executed as of the date of the Forest Service signatory official signature. Pre-award costs are authorized as of August 31, 2024 pursuant to 2 CFR 200.458.

The end date, or expiration date is **June 30, 2029**. This instrument may be extended by a properly executed modification. *See Modification Provision above.*

J. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this award. In witness whereof the parties hereto have executed this award.

DocuSigned by:
 9/23/2024
5BE1AA84753549F...
DANIELLE FITZKO, Commissioner
Department of Forest Parks & Recreation Vermont
Date

BRIAN BRASHAW Digitally signed by BRIAN BRASHAW
Date: 2024.09.23 10:10:57 -05'00'
STEVEN W. KOEHN, Director Cooperative Forestry
State, Private, and Tribal Forestry
US Forest Service
Date

The authority and the format of this award have been reviewed and approved for signature.

LYNNE SHOLTY Digitally signed by LYNNE SHOLTY
Date: 2024.09.19 14:10:00 -06'00'
LYNNE SHOLTY
Forest Service Grants Management Specialist
Date

ATTACHMENT A: FOREST SERVICE AWARD PROVISIONS

- A. COLLABORATIVE ARRANGEMENTS. Where permitted by terms of the award and Federal law, VTFRP a may enter into collaborative arrangements with other organizations to jointly carry out activities with Forest Service funds available under this award.
- B. FOREST SERVICE LIABILITY TO THE RECIPIENT. The United States shall not be liable to VTFRP for any costs, damages, claims, liabilities, and judgments that arise in connection with the performance of work under this award, including damage to any property owned by VTFRP or any third party.
- C. NOTICES. Any notice given by the Forest Service or VTFRP will be sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the Forest Service Program Manager, at the address specified in the award.

To VTFRP, at the address shown in the award or such other address designated within the award.

Notices will be effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- D. SUBAWARDS. Prior approval is required to issue subawards under this grant. The intent to subaward must be identified in the approved budget and scope of work and approved in the initial award or through subsequent modifications. Approval of each individual subaward is not required, however the cooperator must document that each sub-recipient does NOT have active exclusions in the System for Award Management (sam.gov).

The Cooperator must also ensure that they have evaluated each subrecipient's risk in accordance with 2 CFR 200.332 (b).

Any subrecipient under this award must be notified that they are subject to the OMB guidance in subparts A through F of 2 CFR Part 200, as adopted and supplemented by the USDA in 2 CFR Part 400. Any sub-award must follow the regulations found in 2 CFR 200.331 through .333.

All subawards \$30,000 or more must be reported at fsrs.gov in compliance with 2 CFR 170. See Attachment B for full text.

- E. FINANCIAL STATUS REPORTING. A Federal Financial Report, Standard Form SF-425 (and Federal Financial Report Attachment, SF-425A, if required for reporting multiple awards), must be submitted semi-annually. These reports are due 30 days after the reporting period ending June 30 and December 31. The final SF-425 (and SF-425A, if applicable) must be submitted either with the final payment request or no later

than 120 days from the expiration date of the award. These forms may be found at <https://www.grants.gov/web/grants/forms.html>.

- F. **PROGRAM PERFORMANCE REPORTS.** The recipient shall perform all actions identified and funded in application/modification narratives within the performance period identified in award.

In accordance with 2 CFR 200.301, reports must relate financial data to performance accomplishments of the federal award.

VTFRP shall submit semi-annual performance reports. These reports are due 30 days after the reporting period ending June 30 and December 31. The final performance report shall be submitted either with VTFRP's final payment request, or separately, but not later than 120 days from the expiration date of the award.

Additional pertinent information:

There is no required form or format for narrative performance reports. The awardee should as a minimum consider the following questions when developing narrative performance reports:

- *What have you accomplished? What progress have you made toward the deliverables identified in your scope of work? Note quantifiable progress toward identified indicators and compare to the objectives established in the agreement narrative.*
- *What challenges have you encountered or identified in your work and how have you addressed these challenges?*
- *What activities and accomplishments do you anticipate during the next reporting period?*

In addition to the required SF-425 form, a financial report summarizing expenditures by cost category should be submitted for the period of performance. There is no required form or format for this financial report. The submitted financial information should provide sufficient detail to provide a clear link between the narrative performance report and the numbers presented in the SF-425 form.

In addition to financial and performance reporting required by the grant, programmatic accomplishments should also be reported spatially by identifying discrete areas where on-the-ground activities occur. Geospatial data submissions should include a point, line, or polygon for each activity along with the below listed elements associated with each activity. For point data, provide an estimated number of acres impacted. Forest Service Program managers will provide relevant definitions and data standards for the following required accomplishment information:

- 1) **Activity date**
- 2) **Target market(s):** Specify the market(s) in which target landowners may or will participate (choose one):
 - a) Carbon markets only
 - b) Both carbon markets and other non-carbon markets
 - c) Only non-carbon markets
- 3) **Activity type:** Specify whether the activity targets multiple landowners or one landowner.

- a) For activities targeting multiple landowners, specify whether the activity is Outreach or Education (choose one).
 - b) For single-landowner activities, specify activity type(s) (select multiple as needed):
 - Technical Assistance
 - Plan Development
 - Practice Implementation
 - Monitoring
 - Market Readiness/Participation
 - 4) **Landowner beneficiary type:** Specify type of landowner(s) served. For single-landowner activities, choose one type. For multiple-landowner activities, identify number of landowners in each category. Categories of beneficiary types:
 - a) Underserved landowners
 - b) Small-acreage landowners (owning <2500 acres)
 - c) Landowners who are both underserved and small-acreage
 - 5) **Activity description** (fewer than 100 words)
- G. NOTIFICATION. VTFRP shall immediately notify the Forest Service of developments that have a significant impact on the activities supported under this award. Also, notification must be given in case of problems, delays or adverse conditions that materially impair the ability to meet the objectives of the award. This notification must include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.
- H. CHANGES IN KEY PERSONNEL. Any revision to key personnel identified in this award requires notification of the Forest Service Program Manager by email or letter.
- I. USE OF FOREST SERVICE INSIGNIA. In order for VTFRP to use the Forest Service insignia on any published media, such as a Web page, printed publication, or audiovisual production, permission must be granted by the Forest Service's Office of Communications (Washington Office). A written request will be submitted by Forest Service, Program Manager, to the Office of Communications Assistant Director, Visual Information and Publishing Services prior to use of the insignia. The Forest Service Program Manager will notify VTFRP when permission is granted.
- J. JUSTICE 40 INITIATIVE. Executive Order (EO) 14008, Tackling the Climate Crisis at Home and Abroad, was signed on January 27, 2021. This EO commits federal agencies to providing 40% of federal benefits to disadvantaged communities. When the cooperator is considering a sub-award or contract to be executed under this agreement, the cooperator shall consider the requirements of EO 14008, section 223, OMB M-21-28 and OMB-23-09.
- K. FUNDING EQUIPMENT. Federal funding under this award is not available for reimbursement of VTFRP's purchase of equipment. Equipment is defined as having a fair market value of \$5,000 or more per unit and a useful life of over one year. Supplies are those items that are not equipment.

- L. PUBLIC NOTICES. It is Forest Service's policy to inform the public as fully as possible of its programs and activities. VTFRP is encouraged to give public notice of the receipt of this award and, from time to time, to announce progress and accomplishments.

VTFRP may call on Forest Service's Office of Communication for advice regarding public notices. VTFRP is requested to provide copies of notices or announcements to the Forest Service Program Manager and to Forest Service's Office Communications as far in advance of release as possible.

- M. FOREST SERVICE ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS, AND ELECTRONIC MEDIA. VTFRP shall acknowledge Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this award. Follow direction in USDA Supplemental 2 CFR 415.2.

- N. COPYRIGHTING. VTFRP is/are granted sole and exclusive right to copyright any publications developed as a result of this award. This includes the right to publish and vend throughout the world in any language and in all media and forms, in whole or in part, for the full term of copyright and all renewals thereof in accordance with this award.

No original text or graphics produced and submitted by the Forest Service shall be copyrighted. The Forest Service reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use the work for federal government purposes.

This right shall be transferred to any sub-awards or subcontracts.

This provision includes:

- The copyright in any work developed by VTFRP under this award.
- Any right of copyright to which VTFRP purchase(s) ownership with any federal contributions.

- O. NONDISCRIMINATION STATEMENT – PRINTED, ELECTRONIC, OR AUDIOVISUAL MATERIAL. VTFRP shall include the following statement, in full, in any printed, audiovisual material, or electronic media for public distribution developed or printed with any Federal funding.

In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at <https://www.ocio.usda.gov/document/ad-3027>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

- (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410; or*
- (2) Fax: (833) 256-1665 or (202) 690-7442; or*
- (3) Email: program.intake@usda.gov.*

If the material is too small to permit the full Non-Discrimination Statement to be included, the material will, at a minimum, include the alternative statement:
"This institution is an equal opportunity provider."

- P. DISPUTES. In the event of any issue of controversy under this agreement, the parties may pursue Alternate Dispute Resolution (ADR) procedures to voluntarily resolve those issues. These procedures may include, but are not limited to conciliation, facilitation, mediation, and fact finding.

Should the parties be unable to resolve the issue of controversy through ADR, then the Signatory Official will make the decision. A written copy of the decision will be provided to the Cooperator.

Decisions of the Signatory Official shall be final unless, within 30 days of receipt of the decision of the Signatory Official, the Cooperator appeals the decision to the Forest Service's Deputy Chief, State, Private, and Tribal Forestry (SPTF). Any appeal made under this provision shall be in writing and addressed to the Deputy Chief, SPTF, USDA, Forest Service, Washington, DC 20024. A copy of the appeal shall be concurrently furnished to the Signatory Official.

A decision under this provision by the Deputy Chief, SPTF, is final. The final decision by the Deputy Chief, SPTF, does not preclude the Cooperator from pursuing remedies available under the law.

- Q. AWARD CLOSEOUT. VTFRP must submit, no later than 120 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award.

Any unobligated balance of cash advanced to VTFRP must be immediately refunded to the Forest Service, including any interest earned in accordance with 2 CFR 200.344(d).

If this award is closed without audit, the Forest Service reserves the right to disallow and recover an appropriate amount after fully considering any recommended disallowances resulting from an audit which may be conducted later.

- R. TERMINATION. This award may be terminated, in whole or part pursuant to 2 CFR 200.340.

- S. DEBARMENT AND SUSPENSION. VTFRP shall immediately inform the Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should VTFRP or any of their principals receive a transmittal letter or other official federal notice of debarment or suspension, then they shall notify the Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary. The Recipient shall adhere to 2 CFR Part 180 Subpart C in regards to review of sub-recipients or contracts for debarment and suspension.

All subrecipients and contractors must complete the form AD-1048, Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, Lower Tier Covered Transactions. Blank forms are available electronically. Completed forms must be kept on file with the primary recipient.

- T. MEMBERS OF CONGRESS. Pursuant to 41 U.S.C. 22, no member of, or delegate to, Congress shall be admitted to any share or part of this award, or benefits that may arise therefrom, either directly or indirectly.
- U. SCIENTIFIC INTEGRITY: USDA is committed to the highest levels of integrity in all of our scientific activities and decision making. This includes to performing, recording and reporting the results of scientific activities with honesty, objectivity, and transparency. All persons performing under this agreement shall adhere to the principles of scientific integrity described in [Departmental Regulation \(DR\) 1074-001](#).
- V. GEOSPATIAL DATA. All data collected will meet the requirements of the Geospatial Data Act of 2018 where applicable. This will always include the documentation of all relevant metadata standards, use of standard data formats; description of quantitative measures of uncertainty and source of uncertainty and sources of uncertainty associated with the data. Additionally, the data must meet specific standards specified elsewhere to ensure the data is useful to support the USDA's mission. The recipient/cooperator agrees to comply with USDA's Department-wide enterprise geospatial data

management policy implemented in [Departmental Regulation 3465-001](#) which establishes the USDA policy for defining the strategic direction necessary to optimize the management of the USDA geospatial data and geospatial infrastructure, including all geospatial data created for, by, and enhanced by USDA.

- W. PUBLIC ACCESS TO SCHOLARLY PUBLICATIONS AND DIGITAL SCIENTIFIC RESEARCH DATA. The recipient agrees to comply with USDA's Department-wide [public access policy](#) implemented in [Departmental Regulation 1020-006](#) which establishes the USDA policy for public access to scholarly publications and digital scientific research data assets. The USDA will make all peer-reviewed, scholarly publications and digital scientific research data assets arising from unclassified scientific research supported wholly or in part by the USDA accessible to the public, to the extent practicable.

X. TRAFFICKING IN PERSONS.

1. Provisions applicable to a Recipient that is a private entity.
 - a. You as the Recipient, your employees, Subrecipients under this award, and Subrecipients' employees may not:
 - (1) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procure a commercial sex act during the period of time that the award is in effect; or
 - (3) Use forced labor in the performance of the award or subawards under the award.
 - b. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a Subrecipient that is a private entity:
 - (1) Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - (2) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either:
 - i. Associated with performance under this award; or
 - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement),".
2. Provision applicable to a Recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:
 - a. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or

- b. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
 - (1) Associated with performance under this award; or
 - (2) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),”
- 3. Provisions applicable to any recipient.
 - a. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
 - b. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - (1) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - (2) Is in addition to all other remedies for noncompliance that are available to us under this award.
 - c. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
- 4. Definitions. For purposes of this award term:
 - a. “Employee” means either:
 - (1) An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - (2) Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
 - b. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 - c. “Private entity”:
 - (1) Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
 - (2) Includes:
 - i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - ii. A for-profit organization.
 - d. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

Y. DRUG-FREE WORKPLACE.

1. VTFRP agree(s) that it will publish a drug-free workplace statement and provide a copy to each employee who will be engaged in the performance of any project/program that receives federal funding. The statement must
 - a. Tell the employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace;
 - b. Specify the actions VTFRP will take against employees for violating that prohibition; and
 - c. Let each employee know that, as a condition of employment under any award, the employee:
 - (1) Shall abide by the terms of the statement, and
 - (2) Shall notify VTFRP in writing if they are convicted for a violation of a criminal drug statute occurring in the workplace, and shall do so no more than 5 calendar days after the conviction.
2. VTFRP agree(s) that it will establish an ongoing drug-free awareness program to inform employees about
 - a. The dangers of drug abuse in the workplace;
 - b. The established policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation and employee assistance programs; and
 - d. The penalties that you may impose upon them for drug abuse violations occurring in the workplace.
3. Without the Program Manager's expressed written approval, the policy statement and program must be in place as soon as possible, no later than the 30 days after the effective date of this instrument, or the completion date of this award, whichever occurs first.
4. VTFRP agrees to immediately notify the Program Manager if an employee is convicted of a drug violation in the workplace. The notification must be in writing, identify the employee's position title, the award number of each award on which the employee worked. The notification must be sent to the Program Manager within 10 calendar days after VTFRP learns of the conviction.
5. Within 30 calendar days of learning about an employee's conviction, VTFRP must either
 - a. Take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 (29 USC 794), as amended, or
 - b. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

Z. PROHIBITION AGAINST USING FUNDS WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS.

1. The recipient may not require its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting them from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
2. The recipient must notify its employees, contractors, or subrecipients that the prohibitions and restrictions of any internal confidentiality agreements inconsistent with paragraph (1) of this award provision are no longer in effect.
3. The prohibition in paragraph (1) of this award provision does not contravene requirements applicable to any other form issued by a Federal department or agency governing the nondisclosure of classified information.
4. If the Government determines that the recipient is not in compliance with this award provision, it;
 - a. Will prohibit the recipient's use of funds under this award in accordance with sections 743, 744 of Division E of the Consolidated Appropriations Act, 2016, (Pub. L. 114-113) or any successor provision of law; and
 - b. May pursue other remedies available for the recipient's material failure to comply with award terms and conditions.

AA. ELIGIBLE WORKERS. VTFRP shall ensure that all employees complete the I-9 form to certify that they are eligible for lawful employment under the Immigration and Nationality Act (8 U.S.C. 1324(a)). VTFRP shall comply with regulations regarding certification and retention of the completed forms. These requirements also apply to any contract or supplemental instruments awarded under this award.

BB. FREEDOM OF INFORMATION ACT (FOIA). Public access to award or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552). Requests for research data are subject to 2 CFR 315(e).

Public access to culturally sensitive data and information of Federally-recognized Tribes may also be explicitly limited by P.L. 110-234, Title VIII Subtitle B §8106 (2009 Farm Bill).

CC. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All Cooperators, their Employees, Volunteers, and Contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs

when driving while on official Government business or when performing any work for or on behalf of the Government.

- DD. PROMOTING FREE SPEECH AND RELIGIOUS FREEDOM. As a recipient of USDA financial assistance, you will comply with the following:
1. Do not discriminate against applicants for sub-grants on the basis of their religious character.
 2. 7 Code of Federal Regulations (CFR) part 16.3(a), Rights of Religious Organizations.
 3. Statutory and National policy requirements, including those prohibiting discrimination and those described in Executive Order 13798 promoting free speech and religious freedom, 2 CFR 200.300.

- EE. PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT. The cooperator (including subrecipients) is responsible for compliance with the prohibition on certain telecommunications and video surveillance services or equipment identified in 2 CFR 200.216. See Public Law 115-232, Section 889 for additional information.

In accordance with 2 CFR 200.216, the grantee (including subrecipients) is prohibited from obligating or expending loan or grant funds for covered telecommunications equipment or services to:

- (1) Procure or obtain, extend or renew a contract to procure or obtain;
- (2) Enter into a contract (or extend or renew a contract) to procure; or
- (3) Obtain the equipment, services or systems.

ATTACHMENT B: 2 CFR PART 170

Appendix A to Part 170—Award Term

I. Reporting Subawards and Executive Compensation

a. *Reporting of first-tier subawards.*

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that equals or exceeds \$30,000 in Federal funds for a subaward to a non-Federal entity or Federal agency (see definitions in paragraph e. of this award term).
2. *Where and when to report.*
 - i. The non-Federal entity or Federal agency must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
 - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. *Reporting total compensation of recipient executives for non-Federal entities.*

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
 - i. The total Federal funding authorized to date under this Federal award equals or exceeds \$30,000 as defined in 2 CFR 170.320;
 - ii. in the preceding fiscal year, you received—
 - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards), and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and,
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:
 - i. As part of your registration profile at <https://www.sam.gov>.
 - ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. *Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier non-Federal entity subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most

highly compensated executives for the subrecipient's preceding completed fiscal year, if—

- i. in the subrecipient's preceding fiscal year, the subrecipient received—
 - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards) and,
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:
- i. To the recipient.
 - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.
- d. *Exemptions.*
If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:
- i. Subawards, and
 - ii. The total compensation of the five most highly compensated executives of any subrecipient.
- e. *Definitions.* For purposes of this award term:
1. Federal Agency means a Federal agency as defined at 5 U.S.C. 551(1) and further clarified by 5 U.S.C. 552(f).
 2. Non-Federal *entity* means all of the following, as defined in 2 CFR part 25:
 - i. A Governmental organization, which is a State, local government, or Indian tribe;
 - ii. A foreign public entity;
 - iii. A domestic or foreign nonprofit organization; and,
 - iv. A domestic or foreign for-profit organization
 3. *Executive* means officers, managing partners, or any other employees in management positions.
 4. *Subaward:*
 - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.331).
 - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

5. *Subrecipient* means a non-Federal entity or Federal agency that:
 - i. Receives a subaward from you (the recipient) under this award; and
 - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
6. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)).

END OF ATTACHMENT B: 2 CFR PART 170

ATTACHMENT C: WHISTLEBLOWER NOTICE

Whistleblowers perform an important service to USDA and the public when they come forward with what they reasonably believe to be evidence of wrongdoing. They should never be subject to reprisal for doing so. Federal law protects federal employees as well as personal services contractors and employees of Federal contractors, subcontractors, grantees, and subgrantees against reprisal for whistleblowing. USDA bears the responsibility to ensure that nothing in a non-disclosure agreement which a contractor, subcontractor, grantee, or subgrantee requires their employees to sign should be interpreted as limiting their ability to provide information to the Office of Inspector General (OIG).

41 U.S.C. § 4712 requires the head of each executive agency to ensure that its contractors inform their workers in writing of the rights and remedies under the statute. Accordingly, it is illegal for a personal services contractor or an employee of a Federal contractor, subcontractor, grantee, or subgrantee to be discharged, demoted, or otherwise discriminated against for making a protected whistleblower disclosure. In this context, these categories of individuals are whistleblowers who disclose information that the individual reasonably believes is evidence of one of the following:

- Gross mismanagement of a Federal contract or grant;
- A gross waste of Federal funds;
- An abuse of authority relating to a Federal contract or grant;
- A substantial and specific danger to public health or safety; or
- A violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

To be protected under 41 U.S.C. § 4712, the disclosure must be made to one of the following:

- A Member of Congress, or a representative of a committee of Congress;
- The OIG;
- The Government Accountability Office (GAO);
- A Federal employee responsible for contract or grant oversight or management at USDA;
- An otherwise authorized official at USDA or other law enforcement agency;
- A court or grand jury; or
- A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

Under 41 U.S.C. § 4712, personal services contractors as well as employees of contractors, subcontractors, grantees, or subgrantees may file a complaint with OIG, who will investigate the matter unless they determine that the complaint is frivolous, fails to allege a violation of the prohibition against whistleblower reprisal, or has been addressed in another proceeding. OIG's investigation is then presented to the head of the executive agency who evaluates the facts of the investigation and can order the contractor, subcontractor, grantee, or subgrantee

to take remedial action, such as reinstatement or back pay.

Federal Acquisition Regulation (FAR) Subpart 3.903, *Whistleblower Protections for Contractor Employees, Policy*, prohibits government contractors from retaliating against a contract worker for making a protected disclosure related to the contract. FAR Subpart 3.909-1 prohibits the Government from using funds for a contract with an entity that requires its employees or subcontractors to sign internal confidentiality statements prohibiting or restricting disclosures of fraud, waste, or abuse to designated persons. This prohibition does not contravene agreements pertaining to classified information. The regulation also requires contracting officers to insert FAR clause 52.203-17, *Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights*, in all solicitations and contracts that exceed the Simplified Acquisition Threshold as defined in FAR Subpart 3.908. This clause requires notification to contractor employees that they are subject to the whistleblower rights and remedies referenced in 41 U.S.C. § 4712.

In order to make a complaint alleging any of the violations mentioned above, one should complete the OIG Hotline form located at: <https://www.usda.gov/oig/hotline>. For additional information, they may also visit the WPC's webpage at: <https://www.usda.gov/oig/wpc> or they may directly contact the WPC at OIGWPC@oig.usda.gov.

View Burden Statement

BUDGET INFORMATION - Non-Construction Programs

OMB Number: 4040-0006
Expiration Date: 02/28/2025

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)		Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
			Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.	IRA, ISR	10.731	\$	\$	5,000,000	\$	\$ 5,000,000
2.							
3.							
4.							
5.	Totals		\$	\$	5,000,000.00	\$	\$ 5,000,000.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
	IRA, LSR				
a. Personnel	\$ 795,992.00	\$	\$	\$	\$ 795,992.00
b. Fringe Benefits	654,390.00				654,390.00
c. Travel	34,945.00				34,945.00
d. Equipment					
e. Supplies					55,000.00
f. Contractual	3,216,920.00				3,216,920.00
g. Construction					
h. Other					19,000.00
i. Total Direct Charges (sum of 6a-6h)	4,776,247.00				\$ 4,776,247.00
j. Indirect Charges	223,753.00				\$ 223,753.00
k. TOTALS (sum of 6i and 6j)	\$ 5,000,000.00	\$	\$	\$	\$ 5,000,000.00
7. Program Income	\$	\$	\$	\$	\$

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program		(b) Applicant	(c) State	(d) Other Sources	(e)TOTALS
8.	IRA, LSR	\$		\$	
9.					
10.					
11.					
12. TOTAL (sum of lines 8-11)		\$		\$	
SECTION D - FORECASTED CASH NEEDS					
	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$ 700,000	\$ 70,000	\$ 210,000	\$ 210,000	\$ 210,000
14. Non-Federal	\$ 0.00	0.00	0.00	0.00	0.00
15. TOTAL (sum of lines 13 and 14)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program		FUTURE FUNDING PERIODS (YEARS)			
		(b)First	(c) Second	(d) Third	(e) Fourth
16.	IRA, LSR	\$ 700,000	\$ 800,000	\$ 1,150,000	\$ 1,150,000
17.					
18.					
19.					
20. TOTAL (sum of lines 16 - 19)		\$ 700,000	\$ 800,000	\$ 1,150,000	\$ 1,150,000
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges:		22. Indirect Charges: Fixed; 28.11%; Total of \$223,753.00			
23. Remarks:					

From: [Smith, Nikola - FS, OR](#)
To: [Thompson, Keith](#); [Streeter, Nicole](#)
Cc: [Lord, Leah - FS, DC](#); [Beringer, Peter - FS, NH](#)
Subject: Executed Forest Landowner Support Award (Vermont)
Date: Tuesday, October 1, 2024 6:25:08 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[24-CA-104 VTFPR IRA Award Executed.pdf](#)
[Vermont - SF424A corrected.pdf](#)
[VT Proposal Package.pdf](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Keith and Nikki,

Thank you for your valiant efforts to secure Danielle's signature for your Forest Landowner Support award letter at short notice. Please see your fully executed agreement attached (huzzah!). Please note that there are a few corrections to the final SF424A to include \$55,000 for Supplies and \$19,000 for Other to align with the SF-424A and Budget Narrative.

The next step is to schedule time with Lynne to answer any clarifying questions you and the team may have about the agreement provisions. Jeremy Peichel, our team's program analyst, is also available to discuss our programmatic reporting requirements (more to come on that). I'll then defer to Peter to schedule time to discuss the first components of your scope of work (and look forward to participating).

As a first step, please let me know when it's a good time for a 30-minute call with Lynne. If these dates don't work well for you, please share your preferences:

These options are Eastern Time:

10/7: 2-5

10/8: 1-2, 3-4

10/9: 3-4

We're excited to get this important work underway!

Best,
Nikola



Nikola Smith
Program Manager
Forest Landowner Support

Forest Service
State, Private, and Tribal Forestry
Cooperative Forestry

c: 503-964-4497

nikola.smith@usda.gov

working in the Pacific Time Zone

www.fs.fed.us



Caring for the land and serving people

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

VERMONT DEPARTMENT OF PERSONNEL
Request for Classification Action
New or Vacant Positions
Existing Job Class/Titles ONLY
Position Description Form C

- **This form is to be used by management to request the allocation of a new position, or reallocation of a vacant position, to an EXISTING class title.**
- Employee requests must be submitted on the separate "Position Description Form A."
- Requests for full classification, to determine the appropriate pay grade for any job class must be submitted on "Position Description Form A."
- This form was designed in Microsoft Word to download and complete on your computer. This is a form-protected document, so information can only be entered in the shaded areas of the form.
- To move from field to field use your mouse, the arrow keys or press Tab. Each form field has a limited number of characters. Use your mouse or the spacebar to mark and unmark a checkbox.
- Where additional space is needed to respond to a question, you will need to attach a separate page, and number the responses to correspond with the numbers of the questions on the form. Please contact your Personnel Officer if you have difficulty completing the form.
- All sections of this form are required to be completed unless otherwise stated.
- The form must be complete, including required attachments and signatures or it will be returned to the department's personnel office.

Request for Classification Action
New or Vacant Positions
EXISTING Job Class/Title ONLY
Position Description Form C/Notice of Action
For Department of Personnel Use Only

Notice of Action # _____		Date Received (Stamp)
Action Taken: _____		
New Job Title _____		
Current Class Code _____	New Class Code _____	
Current Pay Grade _____	New Pay Grade _____	
Current Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____		
New Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____		
Classification Analyst _____ Date _____		Effective Date: _____
Comments: _____		Date Processed: _____
Willis Rating/Components: Knowledge & Skills: _____ Mental Demands: _____ Accountability: _____ Working Conditions: _____ Total: _____		

Position Information:Incumbent: **Vacant or New Position**Position Number: ☐ Current Job/Class Title: Agency/Department/Unit: GUC: Pay Group: Work Station: Zip Code: Position Type: ☐ Permanent ☒ Limited Service (end date) Funding Source: ☐ Core ☐ Sponsored ☒ Partnership. For Partnership positions provide the funding breakdown (% General Fund, % Federal, etc.) Supervisor's Name, Title and Phone Number: **Check the type of request (new or vacant position) and complete the appropriate section.**☒ **New Position(s):**

- a. **REQUIRED:** Allocation requested: Existing Class Code Existing Job/Class Title:
- b. Position authorized by:

- ☐ Joint Fiscal Office – JFO # Approval Date:
- ☐ Legislature – Provide statutory citation (e.g. Act XX, Section XXX(x), XXXX session)
- ☐ Other (explain) -- Provide statutory citation if appropriate.

☐ **Vacant Position:**

- a. Position Number:
- b. Date position became vacant:
- c. Current Job/Class Code: Current Job/Class Title:
- d. REQUIRED: Requested (existing) Job/Class Code: Requested (existing) Job/Class Title:
- e. Are there any other changes to this position; for example: change of supervisor, GUC, work station? Yes ☐ No ☐ If Yes, please provide detailed information:

For All Requests:

1. List the anticipated job duties and expectations; include all major job duties:

Grants Administration

- Processes grant agreements.
- Tracks financials for grants.
- Supports progress reports, draft amendments, grant financial reporting, and closeout documentation in collaboration with program managers.
- Monitors grant agreements and supports financial draws.
- Maintains grant tracking systems.
- Assists in the development of grant proposals.
- Prepares recommendations for approval of notices to proceed, amendment requests, and grant agreements.
- Provides guidance and training on federal grant procedures.
- Offers grant administrative and technical support to department staff and grantees.
- Provides problem-solving and innovative solutions for agreement and tracking processes.
- Assists grant and business managers in ensuring invoice compliance and payments.
- Represents the department at trainings, conferences, and meetings related to grants.
- Provides input on policy and procedure revisions relative to grants and agreements.
- Reviews and comments on scopes of work for agreements.
- Participates in resolving language disputes for grant agreements.
- Point person for Land Water Conservation Fund (LWCF) grant finances and monitoring.

2. Provide a brief justification/explanation of this request: FPR's Business Office is severely understaffed, particularly in grant administration. To address this capacity issue, we're requesting a new position funded by federal grant funds from the National Park Service (NPS) Land and Water Conservation Fund (LWCF). NPS has recently recognized the need for increased state capacity and has started providing annual administration funds. FPR administers over \$2 million annually in LWCF funding..

3. If the position will be supervisory, please list the names and titles of all classified employees reporting to this position (this information should be identified on the organizational chart as well). N/A

Personnel Administrator's Section:

4. If the requested class title is part of a job series or career ladder, will the position be recruited at different levels? Yes ☐ No ☒

5. The name and title of the person who completed this form: Ansley Bloomer, Director of Finance and Administration

6. Who should be contacted if there are questions about this position (provide name and phone number): Danielle Fitzko - 802-598-9992

7. How many other positions are allocated to the requested class title in the department: 3

8. Will this change (new position added/change to vacant position) affect other positions within the organization? (For example, will this have an impact on the supervisor's management level designation; will duties be shifted within the unit requiring review of other positions; or are there other issues relevant to the classification process.) No

Attachments:

- ☒ Organizational charts are **required** and must indicate where the position reports.
- ☐ Class specification (optional).
- ☒ For new positions, include copies of the language authorizing the position, or any other information that would help us better understand the program, the need for the position, etc.
- ☐ Other supporting documentation such as memos regarding department reorganization, or further explanation regarding the need to reallocate a vacancy (if appropriate).

DocuSigned by:

Cheryl Dopp

45CEC7671F7C4EB...

Personnel Administrator's Signature (required)*

6/14/2024

Date

DocuSigned by:

Ansley Bloomer

76A912E5D065476...

Supervisor's Signature (required)*

6/12/2024

Date

DocuSigned by:

Danielle Fitzko

5BE1AA84753549F...

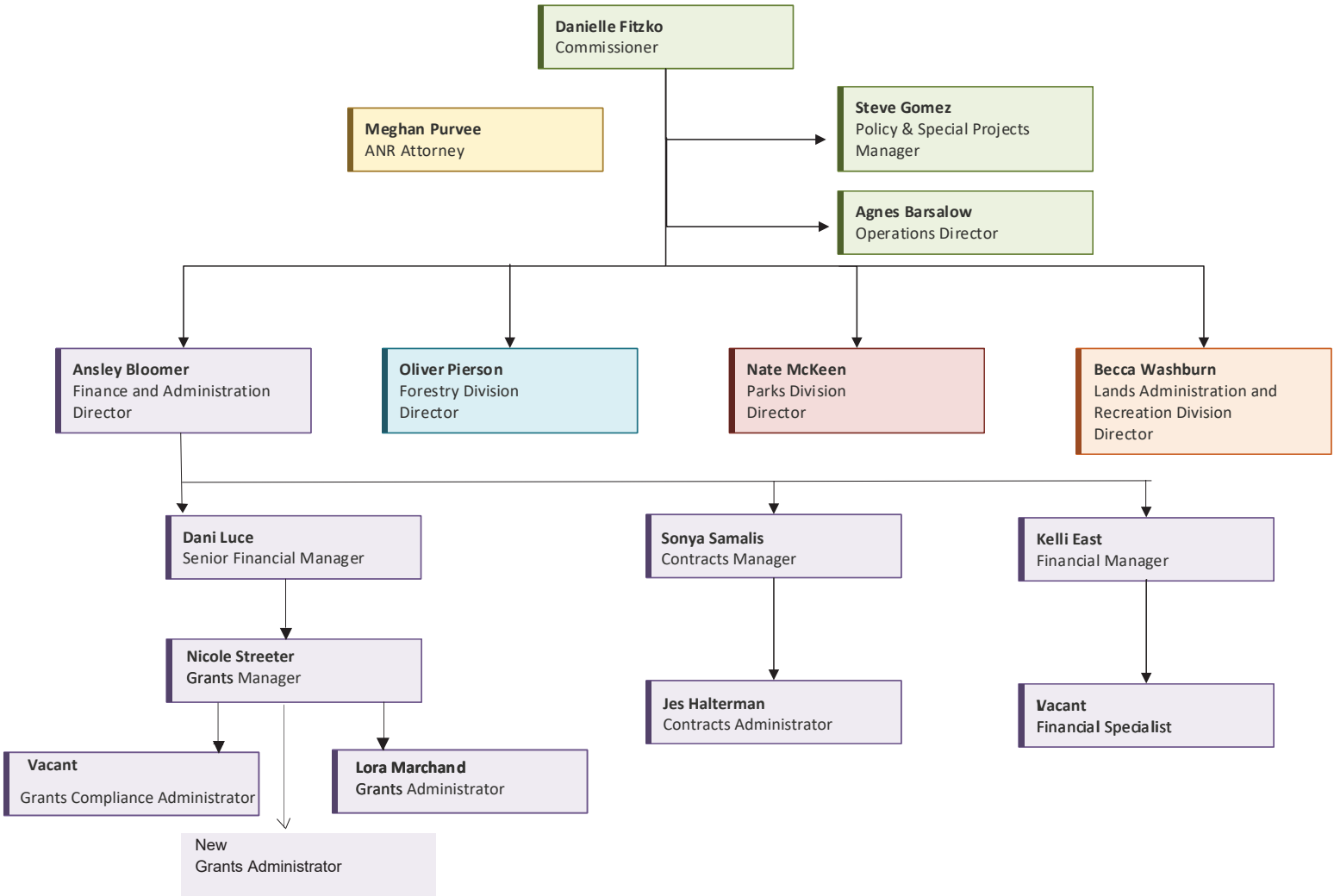
Appointing Authority or Authorized Representative Signature **(required)***

6/12/2024

Date

* Note: Attach additional information or comments if appropriate.

FPR Organizational Chart
Updated 04/22/2024



**U.S. Department of the Interior
National Park Service**

**Financial Assistance
Notice of Funding Opportunity (NOFO)**



NOFO Title	LWCF Administrative Grant Award - FY24
NOFO Number:	P-P-LWCF-24-003
Announcement Type:	Initial
CFDA Number:	15.916

Issue Date:	1/8/2024	
Application Due Date:	7/12/2024	Time: 11:59 / PM / EST

Note: Per 2 CFR 1402.204 (f) Bureaus and offices must consider the timeliness of the application submission. Applications that are submitted beyond the announced deadline date must be removed from the review process.

Program Technical Contact:	Administration Contact:
Name Missy Morrison	Name Missy Morrison
Phone 202-641-6557	Phone 202-641-6557
Email Mary_Morrison@nps.gov	Email Mary_Morrison@nps.gov

Table of Contents

Section A: Program Description	3
Section B: Federal Award Information.....	4
Section C: Eligibility Information	6
1. Eligible Applicants: State Governments	6
2. Cost Sharing or Matching Requirement: Yes.....	6
3. Other:	7
Section D: Application and Submission Information	7
1. Address to Request Application Package.....	7
2. Contents and Form of Application Submission.....	7
Project Narrative	7
SF-424, Application for Federal Assistance	8
SF-424A, Budget Information for Non-construction Programs	8
SF-424B, Assurances – Non-construction Programs	8
Detailed Budget Narrative.....	8
Project Abstract Summary	10
3. Identifier and System for Award Management (SAM.gov) Registration:.....	12
4. Submission Dates and Times:	13
5. Intergovernmental Review:	13
6. Funding Restrictions:	13
7. Other Submission Requirements:	15
Section E: Application Review Information.....	16
1. Criteria.....	16
2. Review and Selection Process.....	16
3. CFR – Regulatory Information.....	17
Evaluation of Applicant Risk:	17
4. Anticipated Announcement and Federal Award Dates	17
Section F: Federal Award Administration Information	17
1. Federal Award Notices.....	17
2. Administrative and National Policy Requirements.....	17
3. Reporting.....	18
4. Reporting Matters Related to Recipient Integrity and Performance:	20

5. Significant Developments Reports:.....	20
Section G: Federal Awarding Agency Contacts	20
Section H: Other Information:	20

Section A: Program Description

Legislative Authority: This grant program is authorized by the Land and Water Conservation Fund (LWCF) Act of 1965, as amended, which is codified at 54 U.S.C. 2003. The State and Local Assistance Program section is found at 54 U.S.C. § 200305. The text of the full LWCF Act can be viewed here: [54 USC Ch. 2003: LAND AND WATER CONSERVATION FUND \(house.gov\)](https://www.house.gov/legislation/comp/lwcf.htm)

Assistance Listing (formerly CFDA) Number: 15.916

Federal Regulations: 2 C.F.R. § 200, 2 C.F.R. § 1402

Program Background, Objectives, and Goals: This notice of funding opportunity (NOFO) is to advise States of the availability of funds for administrative planning grants from the Land and Water Conservation Fund (LWCF) to increase capacity for and administration of the LWCF program. The State and Local Assistance Program was created when the LWCF Act was enacted September 3, 1964. It helps fulfill the LWCF Act's purpose to assist in preserving, developing and assuring accessibility to present and future generations of U.S. citizens and visitors “such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States.” This is accomplished in part by authorizing and providing grants to States.

The FY2023 Consolidated Appropriations Act, P.L. 117-328, included a provision fulfilling the President’s request to allow the National Park Service (NPS) to retain up to 7 percent of the FY2023 State Conservation Grants funding in order to provide to States, the District of Columbia, and Insular Areas (herein referred to as “states”) with 50:50 matching grants to support state administration of the LWCF program.

The LWCF State and Local Assistance (LWCF-SLA) program is operated by the National Park Service (NPS) in partnership with designated lead agencies in each of the 50 States plus American Samoa, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

The LWCF-SLA program is administered jointly by the NPS and the States, who carry out broad and essential program responsibilities, including statewide planning; project solicitation, selection, and submission; grant administration; and perpetual post-award oversight responsibilities. The Department of the Interior requested this new authority in the President’s FY2023 Budget Request with the goal of helping the States build and increase capacity to carry out program requirements, which have grown with increased funding following passage of the Great American Outdoors Act in 2020. While the authority for the administrative grants is

currently provided only for FY2023, the NPS is committed to continuing to request the authority in future years and work to permanently authorize this crucial authority and funding. The same language is included in the FY 2024 President's Budget Request.

While the goal is for Congress to permanently authorize and allocate money from the LWCF for the administrative grant program, currently the authorization is annual. Therefore, the funds available for FY2024 were authorized and allocated in FY2023. The total amount of funds authorized in FY2023 for administrative grants was \$30,938,320. This represents 7% of the funds from line items including LWCF and GOMESA formula grants as well as ORLP competitive grants programs.

The principal goal of the LWCF administrative grant program is to support building and increasing State capacity to implement the LWCF Program's requirements. Presuming that the funds are not already matched to other grants, States are allowed to use their current state-derived operational funding as the matching share. Therefore, the NPS expects grant requests that will first increase the program's current capacity- then maintain it. States may not simply substitute the administrative grant funding for the existing state funding.

Primary objectives of the administrative grant program are: 1) improving participation in ORLP and formula grant programs, 2) addressing deficient formula grant implementation areas, and 3) improving monitoring of LWCF assisted parks and sub-recipients.

Section B: Federal Award Information

Estimated Total Funding: \$24,886,099

Maximum Expected Award: ~7% of state applicant's individual apportionment for 2023

Minimum Expected Award: ~\$200,000

Expected Award Amount: Award amounts are recommended to be greater than \$200,000 and less than 7% of the state's 2023 apportionment. Applications with proposed awards outside of this range should justify the request in the budget narrative. Priority for allocation of these extra funds will be based on States supporting new staff positions and/or specific activities that will: 1) improve or increase the State's participation in the ORLP Program, 2) meaningfully improve the State LWCF program's implementation in an area that is currently lacking (for example, hiring new staff to manage post-award stewardship, assist local sponsors with federal compliance, coordinate with Tribes, etc.), 3) increase the state's overall participation in the program (for example, establishing regional positions to liaise with and assist local governments, and/or 4) improve tracking and monitoring of LWCF-assisted sites.

If you have already been awarded an administrative grant in 2023, work with your NPS program officer to advance a cost increase amendment rather than a new 2024 administrative grant award.

Anticipated Award Date: March 8, 2024-September 25, 2024

An actionable grant application submission may be awarded approximately 60 days after receipt. Award dates will vary depending on when the application is received. The final possible date of award this fiscal year is on or before September 25, 2024.

Agreements are not effective until issued by the NPS Financial Assistance Awarding Officer.

Anticipated Term of the Agreement: 1-5 years starting March 8, 2024

Agreement terms for grants funded in this round will range between one and five years. A grant may be awarded with a five year period of performance and a one year scope of work. Amendments to add scope of work and cost can be made in successive years. This prevents overlapping periods of performance, reduces the number of grants and simplifies reporting. If you have already been awarded an administrative grant in 2023, work with your NPS program officer to advance a cost and scope increase amendment rather than a new 2024 administrative grant award.

States may strategically request up to a five-year period of performance to allow for amendments of scope that account for personnel and related expenses funded and scoped primarily on an annual or biennial basis, consistent with the state budget cycles that are a common source of matching funds.

Administrative grant funds can also be used for discrete non-reoccurring project work. However, States must separate those costs from those that are recurring in the measures and milestones table, project narrative and budget narrative to demonstrate a timeline for reporting and a commitment for matching funds.

Estimated Number of Agreements to be Awarded: 28

The NPS estimates that as many as 28 grants will be awarded in FY2024 to serve eligible applicants that did not receive an administrative award in 2023.

Funding Instrument Type: Grant Agreement

Grant Agreement - A legal instrument of financial assistance between The National Park Service and a non-Federal entity that, consistent with 31 U.S.C. § 6302, 6304:

(1) Is used to enter into a relationship the principal purpose of which is to transfer anything of value from the Federal awarding agency to the non-Federal entity to carry out a public purpose authorized by a law of the United States (see 31 U.S.C. § 6101(3)); and not to acquire property or services for the Federal awarding agency's direct benefit or use.

(2) Is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.

No substantial involvement on the part of the NPS is anticipated for LWCF grants.

Section C: Eligibility Information

1. Eligible Applicants: State Governments

In accordance with 54 U.S.C. § 200305(a), only the State lead agency for LWCF may submit applications in response to this announcement. In this context a “State” includes the 50 U.S. States, plus American Samoa, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. A state must NOT have a current NPS-approved SCORP to be eligible to apply for an LWCF administrative grant. However, States ineligible for LWCF formula grants may have special award conditions placed upon their administrative grant award.

The state lead agency is responsible for developing complete and eligible proposals and submitting final applications to the NPS for review and award of funds. For selected projects, the NPS makes financial assistance awards to the lead agency, which will be responsible for ensuring that allocated funds are used for the purposes of and in a manner consistent with this program. The lead agency is responsible for overseeing the day-to-day implementation of the grant and the supported activities to assure the project’s compliance with the LWCF Act, applicable Federal requirements, and that performance goals are being achieved.

2. Cost Sharing or Matching Requirement: Yes

In accordance with 54 U.S.C. 200305(c), a non-Federal cost-share at a minimum ratio of 1:1 is required to be eligible for an award under this NOFO, with the following exception: for DOI grants, 48 U.S.C. § 1469a(d) waives the 1:1 cost-share requirement for the jurisdictions of American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands.

The non- Federal entity must be willing to contribute at least 50% of the total project cost from non- Federal sources as evidenced in the documentation from the applicant. Eligible non-Federal sources (state, local, non-governmental, or private) of funds must be in accordance with 2 C.F.R. 200 and the LWCF Manual, and may include: cash, the value of in-kind contributions of real property, supplies, equipment, and/or volunteer services. Non-Federal cost share contribution amounts and their source(s) shall be annotated within the SF-424A and the budget narrative. Cost-sharing funds must be in hand or committed at the time of application. The following costs may not be counted toward the non- Federal matching share (not inclusive):

- Unless an eligible pre-award cost as defined in the LWCF Manual, any costs that were incurred before the grant start date, without the prior approval of the State lead agency and the NPS (i.e., waiver of retroactivity).
- Any funds or in-kind contributions such as land or services that have been previously used to satisfy the matching requirements of this program or that that have been or will be used to satisfy another Federal grant.
- Any funds originating from Federal sources or the value of in-kind contributions such as lands or services that were or will be acquired with other Federal funds, unless the authorizing legislation for those funds provides that they may be counted as the non-

Federal contribution for another Federal grant program.

Further, excepting situations where federal funds are being contributed as the non-federal share as per the above, in accordance with 54 U.S.C. 200305(f)(1), LWCF grants may not include funds from other Federal sources in their budgets, even if all programs' match requirements are met. Exceptions can be made for Federal funds with authorizing legislation that includes language that waives the 50% ceiling on the Federal share of the total project cost.

3. Other:

Applications submitted directly by entities other than the State lead agency or Territory, regardless of whether eligible as a subrecipient, will automatically be eliminated.

Excluded Parties:

NPS conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. The NPS cannot award funds to entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or otherwise excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, as their ineligibility condition applies to this Federal program.

Foreign Entities or Projects:

This program does not provide funding to foreign entities or for projects conducted outside the United States.

Section D: Application and Submission Information

1. Address to Request Application Package

A complete application package is described in this Section. The application package contains both mandatory standard forms (SF) and various optional templates that may be used to satisfy other stated application requirements. The application package can be accessed and downloaded via the Directed Announcement at GrantSolutions.gov.

2. Contents and Form of Application Submission

You must complete the mandatory standard forms and any applicable optional forms, in accordance with the instructions below, as required by this NOFO. Do not include any proprietary or personally identifiable information. A complete application should include the following.

Mandatory Requirements:

Project Narrative

Applications must include a narrative description of the project that outlines the scope of work, including a timeline with anticipated benchmarks, and planned results/outcomes of the project (i.e., measures and milestones).

There should be sufficient detail in the project narrative to help support the review of the budget information. Described work should align with budget details. The narrative can be unique and state specific.

The project narrative is a critical component of project performance reporting. Consider using a simple measures and milestones table to plan and report on project performance through time. An [example](#) narrative with measures and milestones tables is provided for your review.

SF-424, Application for Federal Assistance

Applicants must submit the appropriate Standard Form (SF)-424, Application for Federal Assistance. The required application forms are available with this announcement and on [Grants.gov](#). The SF-424, Application for Federal Assistance must be complete, signed, and dated. Do not include any proprietary or personally identifiable information. Please note: Enter only the amount requested from this Federal program in the “Federal” funding box on the SF-424 Application form. Include any other Federal sources of funding in the “Other” box and provide details on those Federal source(s) and funding amount(s) in the required Budget Narrative (see the “Budget Narrative” section below).

Keep in mind the State lead agency or Territory is always the primary applicant and the SF-424 should be filled out accordingly.

Applicants must submit the appropriate SF-424 Budget Information form and Budget Narrative. Federal award recipients and subrecipients are subject to Federal award cost principles in 2 CFR 200.

Any applicant organization that has not completed the financial assistance certifications and representations within their SAM.gov registration must submit the appropriate signed and dated Assurances form. All required application forms are available with this announcement and on [Grants.gov](#).

SF-424A, Budget Information for Non-construction Programs

Applicants must submit the appropriate Standard Form (SF)-424A, Budget Information for Non-construction Programs. The required application forms are available with this announcement and on [Grants.gov](#). The SF-424A must be complete. Do not include any proprietary or personally identifiable information. Please review the [comprehensive instructions](#).

SF-424B, Assurances – Non-construction Programs

Applicants must submit the appropriate Standard Form (SF)-424B, Assurances for Non-construction Programs. The required application forms are available with this announcement and on [Grants.gov](#). The SF-424B must be complete, signed and dated. Do not include any proprietary or personally identifiable information.

Detailed Budget Narrative

The project budget shall include detailed information on all cost categories and must clearly identify all estimated costs. Unit costs shall be provided for all budget items including the cost

of work to be provided by contractors. In addition, applicants shall include a narrative description of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project when cost share is identified to be included (reference section C of this announcement).

Cost categories can include, but are not limited to, those costs items included on the SF424A.

The project costs should align with the scope of work as presented in the project narrative. There should be sufficient detail to help support the review and determination that the costs are reasonable, allocable, and allowable.

Explain amounts for individual direct budget object class cost categories and any related details that may appear to be out of the ordinary. The total of the details you provide for each direct budget object class category must match the total amounts provided on the SF-424a Section B lines 6.a. – 6.h.

Personnel: Provide the position description, unit of time, quantity, cost per unit of time and resultant dollar amount for each of the personnel included. Ensure the total dollar amount corresponds to Section B Line 6.a. of the SF-424a.

Fringe Benefits: For each position description included above provide the fringe benefits dollar amount for each of the personnel included. Ensure the total dollar amount corresponds to Section B Line 6.b. of the SF-424a.

Travel: Provide the unit of measure, quantity, cost per unit and resultant dollar amount for each of the following travel details: airfare, lodging, per diem, ground transportation, housing, and any stipends (i.e., housing or transportation). Ensure the total dollar amount corresponds to Section B Line 6.c. of the SF-424a.

Equipment (defined in the CFR as over \$5,000 & a useful life of more than 1 year): Provide the equipment description, quantity, cost per unit and resultant dollar amount for each category of equipment. Ensure the total dollar amount corresponds to Section B Line 6.d. of the SF-424a.

Supplies: Provide the supply description, quantity, cost per unit and resultant dollar amount for each category of supplies. Ensure the total dollar amount corresponds to Section B Line 6.e. of the SF-424a.

Contractual: Provide the subcontract/sub-award description, unit of time, quantity, cost per unit of time and resultant dollar amount for each subcontract/sub-award. Ensure the total dollar amount corresponds to Section B Line 6.f. of the SF-424a.

Other: Provide the description, quantity, cost per unit and resultant dollar amount for each item. Ensure the total dollar amount corresponds to Section B Line 6.h. of the SF-424a.

Indirect Costs: If the State has a negotiated indirect cost rate agreement (NICRA) applicable to the administrative awards costs, then indirect expenses may be allowable. Provide the indirect cost rate percentage, type (negotiated or de minimis), associated base (modified total direct costs, total direct costs, personnel and benefits, etc.) and resultant indirect cost amount. Ensure the total dollar amount corresponds to Section B Line 6.j. of the SF-424a. [An optional budget worksheet has been provided](#) that may aid in calculating these costs.

Non-Federal Share of Budget: Provide the details of the non-Federal share of the budget including description, source, quantity, cost per unit and resultant dollar amount for each item.

Ensure the corresponding total dollar amount corresponds to Section A Column (f) of the SF-424a.

Failure to provide the budget details as described above could delay the processing of your request. [An optional budget worksheet](#) and [budget narrative template](#) are provided for your convenience.

Project Abstract Summary

Please complete and submit with your application package the Project Abstract Summary form with the following information:

- Funding Opportunity Number;
- Goals and Objectives of your proposed project;
- Summary of Project Activities;
- Performance Goals including milestones and expected outcomes;
- Who will benefit from your project.

This information will be transmitted to USASpending.gov and be viewable by the public.

Optional Requirements:

- **Eligible Equipment Costs Prior Approval Request:**
The stipulations in [2 CFR 200.407](#) requires prior written approval for purchases of equipment. Therefore, the applicant must submit a request for approval of equipment costs. The request should be signed and addressed to their NPS program officer. The request must include justification for the equipment. Equipment is generally described in [2 CFR 200.313](#).
- **Conflict of Interest Disclosure**
Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.112](#), applicants must state in their application if any actual or potential conflict of interest exists at the time of submission.
Applicability.
 - This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.
 - In the procurement of supplies, equipment, construction, and services by recipients and by sub recipients, the conflict of interest provisions in [2 CFR §200.318](#) apply.*Notification.*
 - Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with [2 CFR §200.112](#).
 - Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by sub recipients.

Restrictions on lobbying. Non-Federal entities are strictly prohibited from using funds under a grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR §18 and 31 USC §1352.

Review procedures. The Financial Assistance Officer will examine each conflict-of-interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR §200.339, Remedies for noncompliance, including suspension or debarment (see also 2 CFR §180).

- **Uniform Audit Reporting Statement**

U.S. states, local governments, federally recognized Indian tribes, institutions of higher education, and non-profit organizations expending \$750,000 USD or more in Federal award funds in the applicant's fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System, in accordance with 2 CFR 200 subpart F. U.S. state, local government, federally recognized Indian tribes, institutions of higher education, and non-profit applicants must state if your organization was or was not required to submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the EIN associated with that report and state if it is available through the Federal Audit Clearinghouse website.

- **Certification Regarding Lobbying**

Applicants requesting more than \$100,000 in Federal funding must certify to the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying. If this application requests more than \$100,000 in Federal funds, the Authorized Official's signature on the appropriate SF-424, Application for Federal Assistance form also represents the entity's certification of the statements in 43 CFR Part 18, Appendix A.

- **Disclosure of Lobbying Activities**

Applicants and recipients must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. Applicants and recipients must complete and submit the SF-LLL, "Disclosure of Lobbying Activities" form if the Federal share of the proposal or award is more than \$100,000 and the applicant or recipient has made or has agreed to make any payment using non-appropriated funds for lobbying in connection with the application or award. The SF-LLL form is available with this Funding Opportunity on Grants.gov. See 43 CFR, Subpart 18.100 and 31 USC 1352 for more information on when additional submission of this form is required.

- **Overlap or Duplication of Effort Statement**

If the project proposed in this application is funded through another Federal financial assistance award, in part or in whole, the applicant must provide a statement detailing the potential funding overlap in regard to activities, costs, or time commitment of key personnel. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted or copy of Federal financial assistance award covering activities covered under this proposal. The statement and the description of overlap or duplication, when applicable, may be provided within the proposal or as a separate attachment to the application. Any overlap or duplication of funding between the proposed project and other active or anticipated projects may impact selection and/or funding amount. If no such overlap or duplication exists, state, “There are no overlaps or duplication between this application and any of our other Federal applications or funded projects”.

If selected for award, NPS reserves the right to request additional or clarifying information for any reason deemed necessary, including, but not limited to:

- (a) Other budget information
- (b) Financial capability
- (c) Evaluation of risk
- (d) Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 43 C.F.R. § 17)

3. Identifier and System for Award Management (SAM.gov) Registration:

This requirement does not apply to individuals applying for funds as an individual (i.e., unrelated to any business or nonprofit organization you may own, operate, or work within), or any entity with an exception to bypass SAM.gov registration with prior approval from the funding bureau or office in accordance with bureau or office policy. All other applicants are required to register in SAM.gov prior to submitting a Federal award application and obtain a [Unique Entity Identifier \(UEI\)](#) which replaces the Data Universal Numbering System (DUNS) number from Dun & Bradstreet in April 2022. A Federal award may not be made to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine the applicant is not qualified to receive an award. Federal award recipients must also continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s).

- **Register with the System for Award Management (SAM)**

Applicants can register on the [SAM.gov](#) website. The “Help” tab on the website contains User Guides and other information to assist you with registration. The Grants.gov “[Register with SAM](#)” page also provides detailed instructions. Applicants can contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities will be assigned a Unique Entity Identifier (UEI). Entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been

made to the entity's IRS information. There is no cost to register with SAM.gov. There are third-party vendors who will charge a fee in exchange for registering entities with SAM.gov; please be aware you can register and request help for free. If applicable, foreign entities who want to receive payment directly to a U.S. bank account must enter and maintain valid, current banking information in SAM.

4. Submission Dates and Times:

Applicants are held responsible for their proposals being submitted to the National Park Service. Applications must be received by Friday, July 12, 2024, 11:59 PM Eastern Time. Applicants are encouraged to submit the application well before the deadline. Note: Per 2 CFR 1402.204 (f) Bureaus and offices must consider the timeliness of the application submission. Applications that are submitted beyond the announced deadline date must be removed from the review process. Applications must be submitted electronically through GrantSolutions.gov. Applications sent by facsimile, email, or mail delivery will not be accepted.

An applicant's failure to meet an eligibility criterion by the time of the application deadline may result in the application being excluded from consideration during this cycle. This includes but is not limited to late and incomplete application packages. If it is determined that an application will not be considered due to lateness or being incomplete, the applicant will be notified as soon as possible.

You are encouraged to submit the application well before the deadline and not wait until the last minute.

5. Intergovernmental Review:

This funding opportunity is not subject to Executive Order (EO) 12372 "Intergovernmental Review of Federal Programs." Applicants subject to EO 12372 must contact their State's Single Point of Contact (SPOC) to find out about and comply with the State's process. The names and addresses of the SPOC's are listed in the OMB's home page at: [Intergovernmental Review \(SPOC List\) \(whitehouse.gov\)](#)

6. Funding Restrictions:

Any pre-award costs incurred prior to the receipt of the agreement or other written notice signed by a Financial Assistance Awarding Officer authorizing pre-award costs, is at the applicant's own risk. The Notice of Grant Agreement is the only authorizing document to begin performance.

LWCF administrative grants shall be used to support reimbursement of only those costs that are directly related to the State's implementation of the LWCF program, specifically management of grants through the full award life-cycle and post-grant stewardship and compliance activities. LWCF administrative grants cannot be used for personnel and related expenses associated with State Comprehensive Outdoor Recreation Plan (SCORP) development and other recreation

planning activities, given that grants to support this activity are already authorized by the LWCF Act and available to states.

States should refer to [2 CFR Part 200 Subpart E](#) (Cost Principles) for broader coverage of allowable and unallowable costs. Some common items of cost are highlighted below.

Common Eligible Costs of LWCF Administrative Grants

Category	Notes
Major Budget Object Classes	
Personnel 2 CFR 200.430	Salaries of personnel <i>directly</i> supporting the day-to-day activities of the state's LWCF program are eligible. The individuals or vacant position(s) to be filled that will be funded by the grant or used as the match should be identified by name and/or position in the work plan. The amount of time the individual or position is expected to work to implement the program should be expressed as a full-time equivalent (FTE: one FTE equals 1 person working a full-time work week as defined by Statewide personnel regulations for 1 year). Part-time or temporary employees (this could include interns) should be included as fractions of full-time. Salary and proportion of benefits should be included for each position.
Fringe Benefits 2 CFR 200.431	Fringe benefits are allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe benefits include, but are not limited to, the costs of leave (e.g., annual and sick leave), employee insurance, pensions, and unemployment benefit plans. Fringe is usually calculated as a percentage of the employee salary. The rate and costs included in it should be described in the budget narrative.
Travel 2 CFR 200.432 2 CFR 200.473 2 CFR 200.475	Travel includes but is not limited to costs related to administering the LWCF program (e.g., site inspections, meetings with partners), costs to attend LWCF workshops/trainings or other appropriate training (such as grant management training), costs to participate in outdoor recreation related conferences.
Equipment and Supplies 2 CFR 200.313 and 439 2 CFR 200.314 and 453	Equipment is defined as tangible nonexpendable personal property having a useful life of more than 1 year and an acquisition cost of \$5,000 or more per unit. Anything less than that is considered a supply. Equipment and supplies must be for the direct use and benefit of the staff who administer the LWCF program. See below requirements to request approval of equipment purchases.
Contractual 2 CFR 200.459	Costs of professional and consultant services rendered by persons who are members of a particular profession or possess a special skill, and who are not officers or employees of the State, are allowable.
Other types of costs	

Memberships, subscriptions, and professional activity costs 2 CFR 200.453	Costs of membership in business, technical, and professional organizations (e.g., NRPA, SORP, CPA) and subscriptions to business, professional, and technical periodicals may be allowable if in accord with the state agency's policies. (However, see below for unallowable memberships.)
Advertising and public relations 2 CFR 200.421 2 CFR 200.461	LWCF Program websites, meetings/trainings for potential applicants, development and printing of publications such as annual reports or educational brochures, and public relations events and other kinds of outreach may be allowable. Acceptable costs for meetings or promotional events such as ribbon-cuttings could include facility rentals, chairs, public address systems, and portable sanitary facilities.
Operational activities (possibly contractual)	Records management, data services not related to development of a SCORP, etc. may be allowable.

Eligible Equipment Costs: Capital assets, [as defined in 2 CFR 200.1](#), includes equipment and intellectual property such as grants management software. Equipment is generally described in [2 CFR 200.313](#). There are requirements for the use and disposition of equipment in [2 CFR 1130.410](#) that the applicant should review prior to including those costs in the budget. The stipulations in [2 CFR 200.407](#) requires prior written approval for purchases of equipment. Therefore, the applicant must submit a request for approval of equipment costs. The request should be signed and addressed to their NPS program officer. The request must include justification for the equipment.

Common Ineligible Costs of LWCF Administrative Grants

Category	Notes
Dues for organizations that engage in lobbying or political oriented activities 2 CFR 200.454 18 U.S.C. 1913	Costs to directly or indirectly pay for membership dues of NASORLO, NASPD, or other similar organizations are not allowable. However, the cost of attending the NASORLO annual meeting may be allowable.
Pre-award planning for grant projects	The upfront costs of planning, design, permitting and similar activities that are directly associated with a state or local grant project are not allowable, however, State LWCF personnel may directly or indirectly support activities needed to assure proposed projects are compliant with federal requirements (e.g., cultural resource managers, NEPA specialists).
Promotional items 2 CFR 200.421	Costs of promotional items and memorabilia, including models, gifts, and souvenirs are not allowable
Incidental costs related to acquisition	Costs associated with real estate transactions for lands to be acquired by project grants, such as appraisals, are not allowable.

7. Other Submission Requirements:

Please make sure that the UEI number associated with the GrantSolutions.gov account that will be used to submit the application matches the one that has been registered with the NPS for use with the payment system (ASAP), otherwise funds will not transfer to ASAP when the award is approved.

Complete applications must be submitted in electronic form via GrantSolutions.gov directed announcement by the deadline identified above. Applications submitted by other means or not received by the deadline will not be considered.

In the event the applicant experiences technical difficulties with submitting their application, please contact: GrantSolutions Customer Support at 1-866-577-0771 or Help@GrantSolutions.gov.

START THIS PROCESS EARLY DON'T DELAY!

Section E: Application Review Information

1. Criteria

All proposals must conform to the LWCF Act purpose, and ideally will also help further Secretary of the Interior priorities as reflected in EO 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, EO 14005: Ensuring the Future is Made in All of America by All of America's Workers, and EO 14008: Tackling the Climate Crisis at Home and Abroad.

2. Review and Selection Process

Prior to award, the program will review any applicant statement regarding potential overlap or duplication between the proposal to be funded and any other funded or proposed project in terms of activities, funding, or time commitment of key personnel. Depending on the circumstances, the program may request modification to the application, other pending applications, or an active award, as needed to eliminate any duplication of effort, or the Bureau may choose not to fund the selected project.

The program may not make a Federal award to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the Bureau is ready to make an award, the program may determine that the applicant is not qualified to receive an award. The program can use that determination as a basis for making an award to another applicant.

Prior to award, the program will evaluate the risk posed by applicants as required in [2 CFR 200.205](#). Programs document applicant risk evaluations using the Bureau's "Financial Assistance Recipient Risk Assessment" form. Prior to approving awards for Federal funding in excess of the simplified acquisition threshold (currently \$250,000), the Bureau is required to review and consider any information about or from the applicant found in the Federal Awardee Performance and Integrity Information System. The Bureau will consider this information when completing

the risk review. The Bureau uses the results of the risk evaluation to establish monitoring plans, recipient reporting frequency requirements, and to determine if one or more of the specific award conditions in [2 CFR 200.207](#) should be applied to the award.

A draft of each application may be reviewed by the NPS program officer to ensure the project is consistent with the intent of the LWCF State and Local Assistance Program, and to ensure the project is compliant with other relevant laws, regulations, and policies pertaining to federal financial assistance. The NPS will work with states to revise applications until they have reached an actionable stage. Once the application is found to be ready and eligible to be processed for award, the state is directed to submit a final version into GrantSolutions.gov.

3. CFR – Regulatory Information

See the National Park Service’s Award Terms and Conditions for the general administrative and national policy requirements applicable to Service awards. The Service will communicate any other program- or project-specific special terms and conditions to recipients in their notices of award.

Evaluation of Applicant Risk:

In accordance with 2 C.F.R. § 200.205, applications selected for funding will be subject to a pre-award risk assessment which may include a review of information contained within the applicant’s proposal, past audits, Federal Awardee Performance and Integrity Information System (FAPIS), and/or past performance on previous Federal financial assistance awards. Negative information that leads to an applicant being designated as “Medium Risk” or “High Risk” may result in specific conditions, as identified in 2 C.F.R. § 200.207, being incorporated into the final award.

4. Anticipated Announcement and Federal Award Dates

Final applications can be submitted at any time during the open period of this NOFO. Generally, they will be processed in the order received but the target date for award is approximately 60 days from submitting an actionable grant application.

Section F: Federal Award Administration Information

1. Federal Award Notices

Upon approval of an award, applicants will receive an email from Grant Solutions that a Notice of Grant Agreement has been issued by a Financial Assistance Awarding Officer. Work cannot begin before the non-Federal entity receives this notice. Any pre-award costs incurred prior to the receipt of the agreement or other written notice signed by a Financial Assistance Awarding Officer authorizing pre-award costs, is at the applicant’s own risk. The Notice of Grant Agreement is the only authorizing document to begin performance.

2. Administrative and National Policy Requirements

See the “[DOI Standard Terms and Conditions](#)” for the administrative and national policy requirements applicable to DOI awards.

Data Availability

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.315](#):

- (a) All data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual, resulting from a financial assistance agreement is available for use by the Department of the Interior, including being available in a manner that is sufficient for independent verification.
- (b) The Federal Government has the right to:
 - (1) Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and
 - (2) Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes, including to allow for meaningful third-party evaluation.

Recipients and sub-recipients of LWCF grants are subject to all Federal laws and agency policies, regulations, and procedures applicable to Federal financial assistance awards. These are described in the LWCF terms and conditions. The LWCF-specific terms and conditions are integrated into the standard conditions document and are additional conditions that recipients must also agree to in accepting the grant.

If there are outstanding issues still requiring resolution at the time the grant is issued, the NPS may include special award conditions on the grant constraining when work on the project may begin or restricting access to the funds until the conditions are satisfied.

3. Reporting

- a. **Financial Reports:** All recipients must use the [SF-425, Federal Financial Report](#) form for financial reporting. At a minimum, all recipients must submit a **final** financial report. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. The only exception to the interim financial reporting requirement is if the recipient is required to use the SF 270/271 to request payment and requests payment at least once annually through the entire award period of performance. We will describe all financial reporting requirements in the Notice of Award. [Guidance on how to fill out the SF-425 is provided for your convenience.](#)

- b. **Performance Reports:** The project narrative is a critical component of project performance reporting. Consider using a simple measures and milestones table to plan and report on project performance through time. Consider aligning the measures and milestones table in your project narrative with the [optional project performance report template](#) provided. An [example application with a measures and milestones table](#) is provided.
- Any significant deviations between time lapsed and percent work completed, or amount of expenditures relative to work performed, should be explained. Additional information may be requested when considered necessary.

Performance reports must contain a comparison of actual accomplishments with the established goals and objectives of the award; a description of reasons why established goals were not met, if appropriate; and any other pertinent information relevant to the project results. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award.

- c. **Conflict of Interest Disclosures:** Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See the [U.S. Office of Government Ethics](#) website for more information on these restrictions. The Service will examine each conflict-of-interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, the Service will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies the Service may result in any of the remedies described in [2 CFR 200.339](#) Remedies for Noncompliance, including termination of the award.
- d. **Other Mandatory Disclosures:** The Non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the terms and conditions outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in [2 CFR 200.339](#) Remedies for Noncompliance, including suspension or debarment.

4. Reporting Matters Related to Recipient Integrity and Performance:

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings in accordance with Appendix XII to 2 C.F.R. 200.

5. Significant Developments Reports:

Events may occur between the scheduled performance reporting dates which have significant impact upon the supported activity. In such cases, recipients are required to notify the Bureau in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify the Service in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

Section G: Federal Awarding Agency Contacts

Program Technical Contact:

For Questions and programmatic technical assistance, please contact the NPS LWCF Program Officer for your state. Contact information for LWCF Staff can be found here: [Meet the LWCF Team](#).

Program Administration Contact:

Name:	Missy Morrison
Address:	1849 C Street NW, Washington DC 20240
Phone:	202-641-6557
E-mail:	Mary_Morrison@nps.gov

Application System Technical Support:

GrantSolutions Customer Support: 1-866-577-0771
 Help@grantsolutions.gov

Section H: Other Information:

Payments

Domestic recipients are required to register in and receive payment through the U.S. Treasury's Automated Standard Application for Payments (ASAP), unless approved for a waiver by the Service program. Foreign recipients receiving funds to a final destination bank outside the U.S. are required to receive payment through the U.S. Treasury's International Treasury Services (ITS) System. Foreign recipients receiving funds to a final destination bank in the U.S. are required to enter and maintain current banking details in their SAM.gov entity profile and receive payment through the Automated Clearing House network by electronic funds transfer (EFT). The Bureau will include recipient-specific instructions on how to request payment, including identification of any additional information required and where to submit payment requests, as applicable, in all Notices of Award.

Buy America Domestic Procurement Preference and Waiver Process

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.

Applicants under this NOFO are hereby notified that none of the funds provided under an LWCF award may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
2. all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings that are used at or within

the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

For further information on the Buy America preference, please visit www.doi.gov/grants/BuyAmerica. Additional information can also be found at the White House Made in America Office website: www.whitehouse.gov/omb/management/made-in-america/.

Recipients of an award may seek waivers under certain circumstances. In accordance with Section 70914 (b), agencies may waive the Buy America domestic content procurement preference requirements if the agency finds that:
In accordance with Section 70914 (b), agencies may waive the Buy America domestic content procurement preference requirements if the agency finds that:

1. applying the domestic content procurement preference would be inconsistent with the public interest (Public Interest Waiver);
2. types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality (Non-Availability Waiver); or
3. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent (Unreasonable Cost Waiver).

Check the [DOI General Applicability Waivers](#) to determine if your project or materials meet the criteria of one of the already approved DOI-wide waivers. If the criteria are met, a separate waiver is not required. Currently there are two general applicability waivers: a small grants (total cost less than \$250,000) waiver and de minimis waiver.

If your project or materials would not meet the general applicability waiver criteria, you may submit a waiver request directly to the financial assistance awarding officer for your grant. The waiver request justification should include a detailed justification for the use of goods, products, or materials mined, produced, or manufactured outside the United States and a certification that the non-Federal entity made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with potential suppliers. To assist your financial assistance awarding officer with processing your request, note that the below information must be completed (as applicable) on your waiver request form:

1. Type of waiver requested (non-availability, unreasonable cost, or public interest).
2. Requesting entity name and Unique Entity Identifier (UEI) submitting the request.
3. Department of Interior Bureau or Office who issued the award.
4. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
5. Financial assistance title of project (reference block 8 on DOI Notice of Award).
6. Federal Award Identification Number (FAIN).

7. Federal funding amount (reference block 11.m. on DO Notice of Award).
8. Total cost of Infrastructure expenditures (includes federal and non-federal funds to the extent known).
9. Infrastructure project description(s) and location(s) (to the extent known).
10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant [PSC](#) or [NAICS](#) code for each.
11. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
12. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.
13. Anticipated impact if no waiver is issued.

Entities applying for a waiver shall not include any Privacy Act information, sensitive data, or proprietary information within their waiver requests.

If the DOI determines that your waiver request (in whole or in part) appears to meet the legal and policy criteria of Buy America, and in accordance with Section 70914 (c), the DOI will post its proposed waiver justification for public comment for a period of not less than 15 days to the [DOI Waiver Requests Available for Public Comment](#) page. The DOI will post approved waivers on the [DOI Approved Buy America Requests](#) page, and your financial assistance awarding officer will notify you if your waiver request was approved.

LWCF Administrative Grant FAQ's

Approach to Program

Introduction: Along with helping the states build capacity to more effectively administer their LWCF programs, the administrative grants were conceived and planned to provide support for costs that may not properly be charged directly or indirectly to a project grant (such as the cost of post-project completion stewardship). Any costs eligible to be charged as a direct cost to a project grant should be charged as such, including pre-award costs. Additionally, the DOI Interior Business Center, who negotiates indirect cost rates for many of the state LWCF agencies, desires that the use of LWCF-specific NICRA rates be discontinued. However, if a state LWCF agency has a NICRA applicable to the costs of an administrative grant, this may be allowable, and would make it possible for states to more easily comply with Generally Accepted Accounting Principles (GAAP).*

The application for administrative funds should require one item: how much of the 7% a state wants to allocate to its program administration. For example, FHWA/RTP asks how much and then leaves it to the state to manage the funding according to established guidelines. Sometimes we use it all, sometimes not, but we cannot project every likely expense we might need during the course of a program fiscal year. Why can't NPS just trust that states will use the funds appropriately?

Keep in mind that there are different kinds of federal aid programs and different legislative authorities allow for different types of grant agreements. There is not authority for LWCF to be implemented like RTP. RTP is one of many programs implemented through the Surface Transportation Program, which Congress authorized as a block grant program. In contrast, LWCF State Assistance is distributed through formula-project categorical grants.

In block grant programs, recipients are authorized to undertake, at their discretion, a number of activities within a broad functional category aimed at addressing national objectives. Federal administrators have a lower degree of discretion; recipients have some discretion concerning aided activities (typically, a specified range of activities within a functional area); and there is a moderate degree of federal administrative conditions attached to the grant, typically involving more than periodic reporting criteria and standard government accounting procedures, but with fewer conditions attached to the grant than project categorical grants. Project categorical grant programs target funds for a specific activity (e.g., outdoor recreation grants), and in general, recipients have relatively little discretion concerning the aided activities (funds must be used for narrowly specified eligible purposes, e.g., planning, acquisition, and development). There is a relatively high degree of federal administrative conditions attached to the grant, typically involving the imposition of federal standards for planning, project selection, fiscal management, administrative organization, and performance. For more information on block grants and categorical grants, please see the Congressional Research Service 2022 report titled [Block Grants: Perspectives and Controversies](#). A full list of Congressional designated block grants is listed on pages 5-6.

The NPS is committed to working with the states to develop an administrative grant program that meets the needs of both sides of the partnership.

Processing and Applying for Administrative Grants

Do we need to do a pre-application review before the state applies in GrantSolutions? And if not, will WASO staff be reviewing all admin applications to make sure they are eligible?

If the state would like a review first before submitting an application into GS, we can provide one. The advantage of submitting directly into GS is that the application can be passed back and forth before final acceptance, so if there are issues, the submission can be revised without the need for a separate resubmit. WASO will review the applications so we can try to ensure States are being treated similarly with their requests and getting consistent feedback about allowable activities, but also to help us draft better guidance for FY 2024.

Based on the guidance that was sent by NPS, the states have the opportunity to apply for admin funding by July 31, 2023. What is the NOFO # for states to apply and is there a list of documents that they will be required to submit? The process and procedures document says that states should apply for expenses related to one FY; if they are applying this July, can they assume costs will be associated with FY23/24?

The opportunity is posted directly in GrantSolutions (under Land and Water Conservation Fund Administrative Grants); therefore, there is no grants.gov NOFO number. For most (but not all) states, FY24 begins July 1, so we are generally assuming that will be the FY their grant will be tied to. Also, we said 12 months, not one fiscal year. We are assuming there will not be good alignment with this first year of funding, but we hope to get there over time.

What is the minimum amount a state can request for an administrative grant?

Technically, there is no minimum. That said, we did set a minimum availability amount of \$200,000 because for about 1/3 of states and territories, 7% of their FY2022 apportionment is less than that and we were concerned that for some that might not be enough for them to work with. However, states are free to request less than what is otherwise available to them, if less is needed.

How is NPS going to calculate the starting period of performance and period of contribution for admin grants. (e.g., Can states count funds they expended starting 2022-10-01, or will they need to start counting their contribution from when the period of performance starts, such as 2023-10-01)?

Assuming that the states are able to document their expenses, they can include costs incurred since October 1, 2022 as pre-award costs. The narrative and budget should differentiate between these two periods (similar to how pre-award costs are shown in development grants).

Our understanding is that grant funds used for personnel are to have a 12-month period of performance. Due to the time involved for hiring is it possible to have an 18-month period of performance with the first 6 months used for position creation/recruitment/hiring and the last 12 months would be the salary of the position?

Yes.

Are we assigning legacy numbers to admin grant applications?

Yes

How long does it take the state complete an admin grant application? Will this take days to complete?

Unlike a construction project application, fewer support documents and attachments will be necessary. The NPS is requesting the non-construction standard forms (SF-424, 424A, 424B); a project narrative describing staffing and activities, timeline/milestones, and measures; and a budget narrative providing support for the requested costs. Complexity will depend on the funding request and any 2 CFR 200 requirements associated with the allowable costs (e.g., how many positions, supporting activities, equipment purchases, etc.). We envision applications of 3-5 pages – say 2-3 for scope and 1-2 for budget – but a more complex request could be lengthier. An application focused mainly on supporting a staffing plan with primarily salaries for costs, would likely be shorter.

The budget narrative would follow the cost line items with a breakdown of what the costs comprise and how the costs were determined. Similar to formula applications, the project narrative would be expected to be consistent with the cost line items, providing the description of the who/what/when the funds would be spent on (and vice versa). Milestones and measures should be included in the project narrative. The NPS will review the budget, project and budget narratives to confirm activities and costs are allowable and supports expanding state capacity. Grant measures should focus on increased state capacity for the state LWCF program administration and expected increase in activities that can be performed (for example, reducing a backlog of site inspections).

Eligible Costs

IF: Costs incurred since October 1, 2022, may be eligible if within the proposed period of performance. AND: States have the discretion to establish the 12-month period the LWCF administrative grant will cover. THEN: How do States proceed if they must submit their applications at least 30 days ahead of when they seek to start their period of performance?

The already incurred costs would be considered eligible pre-award (similar to our formula grants). Note that this is something we hope to need to accommodate only this year, or maybe next, until we can get the program on a regular cycle that would allow all costs to be in the future. All pre-award costs must be allowable per 2 CFR Part 200 (see Subpart E), federal regulations, and grant standard terms and conditions.

Can we use overhead as match? For example, pro rata building lease.

Generally, no, unless the agency wants to match with the allowable indirect rate costs instead of trying to recover the costs from the grant. Overhead costs, such as building leases, typically benefit many programs/activities and are not easily assigned to any one of them, therefore building leases would typically be included in the indirect cost pool. If a cost is included in the indirect pool and indirect is charged, the double “charge” is not allowed and therefore could not be used as match. States should work with their agency financial office to understand what costs are in their agency’s indirect cost pool and what costs may be direct costs in an administrative grant.

Could future grant rounds be used to support initial increased capacity since without it, capacity would be decreased?

Yes. We presume that at some point a relatively steady state would be achieved; we are not expecting perpetual growth.

If the authorization of funds is for one year, how are we allocating funds to a 3-year period of performance? For example, can they request the 7% of 2022 apportionment for each of the years subject to 3-year budget, or as a total amount due to one year authorization?

The administrative grants will be similar to project grants – once the funds are obligated, they are available for that period of performance, subject to them showing the work happening over the time period. A state's request can only be for the amount available this year.

Can the State contract with a firm or archeologist to complete Cultural Resource Surveys (CRS) for our project sponsors during the pre-award phase of their grant?

Costs that are directly allocable to a particular project must be charged to that project's grant. The administrative grant cannot be used to directly support implementation of a project grant. As noted in the introduction, the main purpose of the administrative grants is to fund those costs of state program implementation that cannot be reimbursed or recovered in project grants. See also the answer to the question below.

Does the State need to have a state employee do the cultural resource surveys for our project sponsors in order for it to qualify as a pre-award planning cost?

Pre-award costs are defined by the timing of when they are incurred and their purpose to support implementation of the grant project, not by who is doing them. 2 CFR 200.458 - Pre-award costs are those incurred prior to the effective date of the Federal award or subaward directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of the Federal awarding agency. If charged to the award, these costs must be charged to the initial budget period of the award, unless otherwise specified by the Federal awarding agency or pass-through entity.

Can you give us examples of the type of professional or consultant services that are allowable under Contractual?

In general, we would expect contracts to assist the state program in gaining access to individuals with specialized skills or expertise that may not exist in the program or agency, or to work on specific projects that are finite but may still require more capacity than the agency has or could hire for, and similar. Examples include but are not limited to the following:

- Acquiring services of a qualified appraiser to perform Yellow Book appraisal reviews.*
- Supporting surge capacity to catch up on a backlog of 5-year site inspections and preparation of SF-429 reports (Real Property Status)*
- Supporting efforts to scan and make publicly accessible the state's LWCF area boundary maps.*
- Supporting efforts to survey and/or digitize all LWCF area boundaries*
- Supporting legal and other required professional services to assist in conversion issues*

Salary as part of Administrative Grant

For state staff that administer more than LWCF and any other grant program(s), such as RTP and any state program, may staff have position descriptions that designate percentages (%) of their time dedicated to LWCF. Will that suffice for cost reimbursement? They don't track daily or weekly hours on projects, and it would be time prohibitive to do so. For example, one line item in the Grant: Jane's salary & fringe equals \$100k per annum and her PD states that LWCF comprises 35% of her work time. Submit the PD and Salary breakdown to receive 50% of the \$35,000 cost.

Staff who work only part time on LWCF are okay. However, 2 CFR 200.430(i) requires documentation to keep track of the time and support requests for reimbursement - "Charges to Federal awards for salaries and wages must be based on records that accurately reflect the work performed..." A position description would not be sufficient for this purpose, therefore, the state will need to find a way to track time, most likely through the time-keeping system. Please note, it does not need to be at the project level for the administrative award, but staff need to be able to accurately account for the hours they spend administering LWCF projects vs. RTP projects, or other state or federally funded grant programs. The DOI IBC staff have recommended that states work closely with their financial offices to set up policies and procedures that meet single audit standards (see [2 CFR 200.303](#) and this [HUD document on meeting 2 cfr 200.303 requirements](#)),

Does an application with a 3-year period of performance that includes both annual salary/fringe and other costs have to be split into two applications? For example, a one-year period of performance grant for personnel and another 3-year period of performance grant for project activities.)

There could be one grant with several tasks that have different periods of performance, e.g., a one task for staff positions and a task for contractual services such as creating geospatial data for all LWCF boundary area maps, which might take several years.

Indirect Costs (see 2 CFR 200.414(a) and 2 CFR 200 Appendix VII)

Can a state use administrative grants for general LWCF office operations, but then continue to use an indirect rate for LWCF project costs? For example, some state agencies that need support from different departments to assist an LWCF project meet federal requirements (i.e., NEPA, biological opinions, and Section 106) want to use an indirect cost rate to recover these costs. The costs will be separated and tracked through the agency's accounting process.

Under 2 CFR 200 and GAAP, a cost may not be assigned to a federal award as a direct cost if any other cost incurred for the same purpose, in like circumstances, has been allocated to a federal award as an indirect cost. Also, costs that can be readily identified and associated with a particular project should be charged as a direct cost. Further keep in mind that normally indirect rate cost pools exclude capital projects and pass through funds because they are considered distorting costs (see 2 CFR 200 Appendix VII, paragraph C). This is why most "regular" state agency NICRAs don't apply to LWCF grants, and why specific LWCF rates were necessary for many states. DOI IBC has been making an exception to allow for states to have special program rates applicable only to LWCF grants, which is not normally allowed, and as such they would prefer that we move away from this practice.

States must determine how to account for costs in both project grants and administrative grants without assigning the cost to multiple grants. NPS recommends that State LWCF Programs work with the appropriate financial experts within their respective state agencies to establish policies and procedures to ensure costs are assigned to only one grant.

For the administrative grants, direct costs such as salaries, fringe, supplies, travel, equipment and contractual support specific to the LWCF program would all be allowable. Any costs that the state typically includes in their negotiated indirect rate cost pool should not be included as a direct cost in the administrative grant budget.

NPS recommends that LWCF staff who work directly on grants get formal training. Of particular value would be courses on 2 CFR 200 Subpart E (cost principles), 2 CFR 200.303 Subpart D (internal controls), and pass through grants management. The costs of such training would be allowable for matching in the administrative grant. DOI requires core grants management training for all federal staff involved in financial assistance. Classes on cost principles are available thru various training entities such as [Management Concepts](#).

There seems to an overlap between what is allowable between “direct and indirect activities” for federal requirements. Are we leaning on the state to justify how support staff like NEPA specialist and archeologist will directly support grants?

The costs of project compliance are typically direct project costs, not indirect costs. The necessary activities are readily identifiable (e.g., a cultural resource survey or environmental assessment for a project or project site) and benefit a single cost objective (the project grant). Environmental and cultural resource requirements exist on the state and local level as well as on the federal level, and they would not have different treatment. A state could hire personnel whose role would be to assist project sponsors in meeting compliance requirements, however, this would be as a resource, to provide advice and guidance, not to do the actual compliance work.

The guidance provides the following information: (If needed) Indirect Costs: States that can currently collect indirect costs via rates approved on active LWCF grants must include a certification from the agency’s accounting or finance (or equivalent) department that there is a process in place to manage this transition from use of indirect rates to administrative grants to assure there will be no duplication of costs. What would this look like? Do you have an example? What are the expectations?

We do not have an example. A letter, from a state financial office, certifying that policies and procedures are in place would be adequate. The certifying financial official should also provide information on a transition from a LWCF indirect rate to the state agency’s standard NICRA.

The State’s accounting department (which often is involved in processing payments, including drawing funds for indirect when there is an approved rate), needs to be aware that some costs currently included in the state’s LWCF indirect cost pool are now eligible to be reimbursed under an LWCF administrative grant.

The indirect pool costs, both the specific LWCF rates and a state agency’s NICRA, need review by the accounting and LWCF staff to clearly identify direct and indirect costs. Also, the timing must be assessed. For example, if an LWCF staff salary is currently part of an indirect cost pool and has been reimbursed this fiscal year through an indirect rate on grant draws that have occurred, a State would

not be able to capture those same costs for match as a pre-award cost for their admin grant because the costs already would have been federally funded. If the grant has a future starting date though, then the account staff simply need to know when to stop collecting indirect costs.

** The GAAP refers to a common set of accounting rules, standards, and procedures issued by the Financial Accounting Standards Board (FASB). The Governmental Accounting Standards Board or GASB sets GAAP for state and local governmental entities. Auditors use GAAP for the single audit (see 2 CFR Part 200 Subpart F).*

VERMONT DEPARTMENT OF PERSONNEL
Request for Classification Action
New or Vacant Positions
Existing Job Class/Titles ONLY
Position Description Form C

- **This form is to be used by management to request the allocation of a new position, or reallocation of a vacant position, to an EXISTING class title.**
- Employee requests must be submitted on the separate "Position Description Form A."
- Requests for full classification, to determine the appropriate pay grade for any job class must be submitted on "Position Description Form A."
- This form was designed in Microsoft Word to download and complete on your computer. This is a form-protected document, so information can only be entered in the shaded areas of the form.
- To move from field to field use your mouse, the arrow keys or press Tab. Each form field has a limited number of characters. Use your mouse or the spacebar to mark and unmark a checkbox.
- Where additional space is needed to respond to a question, you will need to attach a separate page, and number the responses to correspond with the numbers of the questions on the form. Please contact your Personnel Officer if you have difficulty completing the form.
- All sections of this form are required to be completed unless otherwise stated.
- The form must be complete, including required attachments and signatures or it will be returned to the department's personnel office.

Request for Classification Action
New or Vacant Positions
EXISTING Job Class/Title ONLY
Position Description Form C/Notice of Action
For Department of Personnel Use Only

Notice of Action # _____		Date Received (Stamp)
Action Taken: _____		
New Job Title _____		
Current Class Code _____	New Class Code _____	
Current Pay Grade _____	New Pay Grade _____	
Current Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____		
New Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____		
Classification Analyst _____ Date _____		Effective Date: _____
Comments: _____		Date Processed: _____
Willis Rating/Components: Knowledge & Skills: _____ Mental Demands: _____ Accountability: _____ Working Conditions: _____ Total: _____		

Position Information:Incumbent: **Vacant or New Position**Position Number: Current Job/Class Title: Agency/Department/Unit: ANR/FPR/Forests GUC: Pay Group: Work Station: Montpelier Zip Code: 05620Position Type: ☐ Permanent ☒ Limited Service (end date) 12/31/28Funding Source: ☐ Core ☐ Sponsored ☒ Partnership. For Partnership positions provide the funding breakdown (% General Fund, % Federal, etc.) 100% FederalSupervisor's Name, Title and Phone Number: Katharine Servidio, Forest Economy Program Manager,
 802-636-7804**Check the type of request (new or vacant position) and complete the appropriate section.**☒ **New Position(s):**

- a. REQUIRED: Allocation requested: Existing Class Code 310800 Existing Job/Class Title:
 Forestry Professional III
- b. Position authorized by:

- ☐ Joint Fiscal Office – JFO # Approval Date:
- ☐ Legislature – Provide statutory citation (e.g. Act XX, Section XXX(x), XXXX session)
- ☒ Other (explain) -- Provide statutory citation if appropriate. \$5.5M Grant Funding Award from US Forest Service

☐ **Vacant Position:**

- a. Position Number:
- b. Date position became vacant:
- c. Current Job/Class Code: Current Job/Class Title:
- d. REQUIRED: Requested (existing) Job/Class Code: Requested (existing) Job/Class Title:
- e. Are there any other changes to this position; for example: change of supervisor, GUC, work station? Yes ☐ No ☒ If Yes, please provide detailed information:

For All Requests:

1. List the anticipated job duties and expectations; include all major job duties: One limited-service FTE position at the Forestry Professional III level to serve as a professional development program coordinator to support grant deliverables and advance priority goals of the VT Forest Future Strategic Roadmap. Major job duties will include:

1. Designing and implementing certification programs to increase the skills and marketability of resilience services related to forest products markets.

2. Supporting the design and implementation of \$1.5 million of resilience plan and practice payments for foresters and loggers to provide free or reduced cost forest resilience planning and forest management to private landowners.

3. Leading the development and implementation of key tools for loggers and foresters to manage forests for resilience, including the Resilience and Restoration Endorsement, the Resilience Stewardship Plan Incentive, and the Resilience Contract Rider Incentive.

4. Working with loggers, foresters, and other implementing partners to develop and implement an accessible, engaging, and in-depth beginning training resource that will help loggers and foresters explore the objectives, opportunities, challenges, and available resources related to managing forests for resilience.

This Forest Resiliency Planning Specialist will be funded for the full 4-year grant period and will be centrally located with capacity to support the response to increased logger and forester demand for services generated by the \$5 million USFS Inflation Reduction Act Grant aimed at growing Vermont's forest resilience capacity in a collaborative manner.

2. Provide a brief justification/explanation of this request: On March 14, the US Forest Service notified FPR that we had received a \$5 million award in response to our project proposal entitled Growing Vermont's Forest Resilience: A Collaborative Strategy under an Inflation Reduction Act (IRA) RFP. Through an additional and related non-competitive IRA funding opportunity, the USFS also awarded FPR \$500k for development and implementation of a plan to engage underserved landowners in VT (new landowners, veterans, and those in economically disadvantaged communities).

This USFS IRA funding opportunity was provided to support the engagement of underserved and small forest landowners (less than 2500 acres) to manage forests to be more resilient to climate change and to benefit from emerging markets for forest products and uses. While some advocates narrowly consider carbon markets as the market for climate resilience accessible to private landowners and/or promote passive forest management as the only appropriate response to our climate emergency, forest product markets have enormous potential to bring private funding to promote climate resilience while working toward other economic, cultural, and environmental goals. This project is designed to link forest management and forest products with increased forest resilience on the ground and in the minds of landowners, foresters, loggers, and the public, so that forest product markets are seen as markets for resilience, by:

1. Increasing landowner awareness and demand for proven resilience practices through education, incentives, and effective communication.

2. Increasing the private sector's proficiency in and delivery of science-based forest management services focused on resilience, including silviculture, communication, skills training, and incentives.

Successful implementation of the grants will require additional capacity to provide technical assistance, plan landowner engagement, coordinate projects, and implement field activities. FPR does not currently have adequate capacity to take on this additional work, although the USFS award provides funding to hire additional staff. This additional capacity is needed within FPR because:

- Landowners need to know that the advice they receive complies with the requirements of the Use Value Appraisal (UVA) Program. No technical assistance provider besides FPR County Foresters can provide free advice while also providing certainty about its intersection with UVA.

- This proposal is designed to significantly increase the demand for resilience-focused forest management and for paid private sector forestry services (many of which will be profitable for landowners). However, landowners who are considering hiring consulting foresters often wisely seek advice from FPR to calibrate expectations, identify next steps, and address concerns to ensure follow-through. This project will increase the demands on FPR staff, and to meet both existing demands (UVA, AMPs, etc.) on an already overloaded staff and the increased demands from this project, FPR proposes to hire additional staff, including the forester called for in this form, who will focus on developing and implementing forest resilience practices with loggers and foresters.

3. If the position will be supervisory, please list the names and titles of all classified employees reporting to this position (this information should be identified on the organizational chart as well).

Personnel Administrator's Section:

4. If the requested class title is part of a job series or career ladder, will the position be recruited at different levels? Yes ☒ No ☐

5. The name and title of the person who completed this form:

6. Who should be contacted if there are questions about this position (provide name and phone number):

7. How many other positions are allocated to the requested class title in the department:

8. Will this change (new position added/change to vacant position) affect other positions within the organization? (For example, will this have an impact on the supervisor's management level designation; will duties be shifted within the unit requiring review of other positions; or are there other issues relevant to the classification process.)

Attachments:

- ☒ Organizational charts are **required** and must indicate where the position reports.
- ☐ Class specification (optional).
- ☐ For new positions, include copies of the language authorizing the position, or any other information that would help us better understand the program, the need for the position, etc.
- ☐ Other supporting documentation such as memos regarding department reorganization, or further explanation regarding the need to reallocate a vacancy (if appropriate).


DocuSigned by:

45CEC7671F7C4EB...

Personnel Administrator’s Signature **(required)***

6/14/2024


Date

DocuSigned by:

813B0045A49F4EA...

Supervisor’s Signature **(required)***

6/14/2024

Date

DocuSigned by:

5BE1AA84753549F...

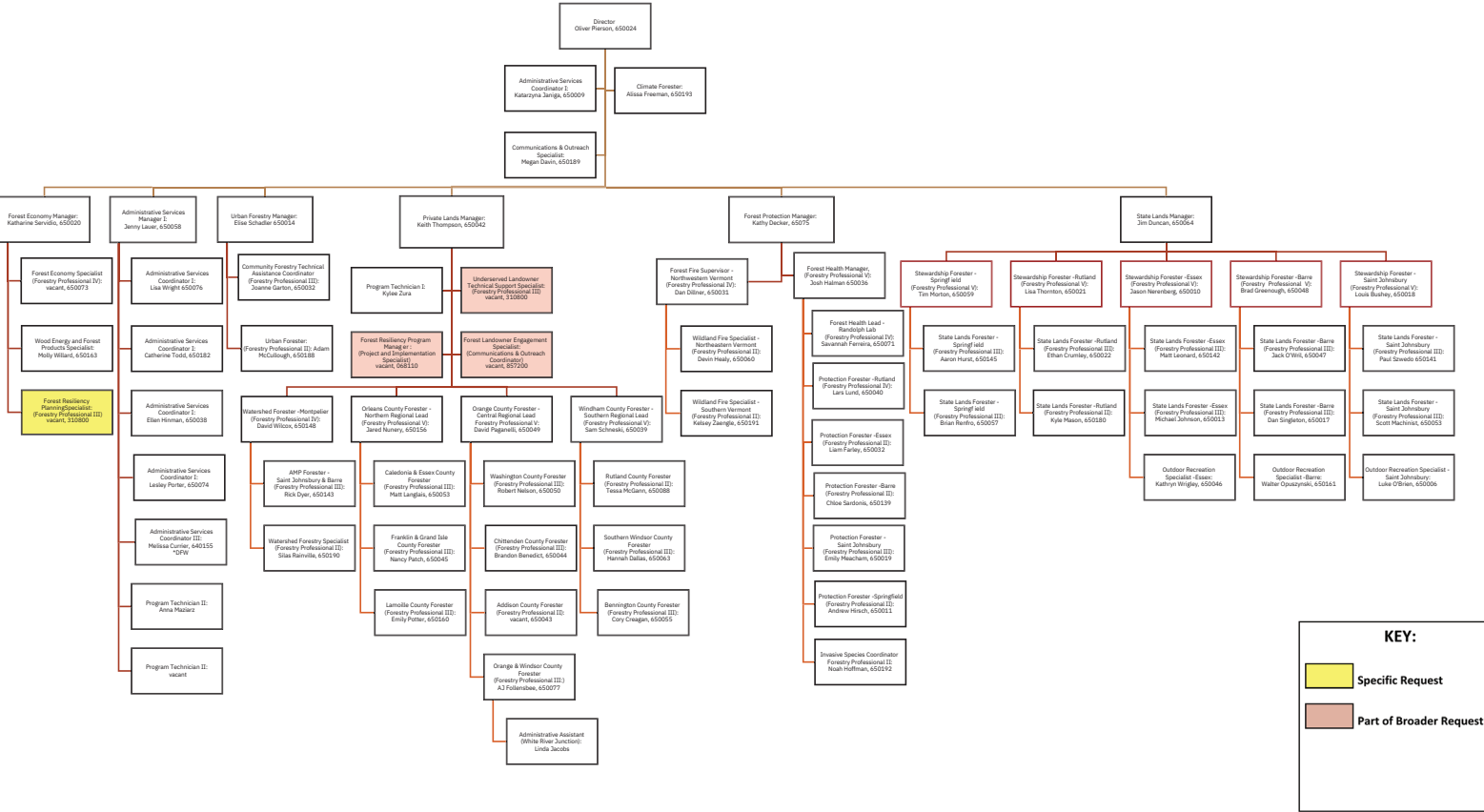
Appointing Authority or Authorized Representative Signature **(required)***

6/14/2024

Date

* Note: Attach additional information or comments if appropriate.

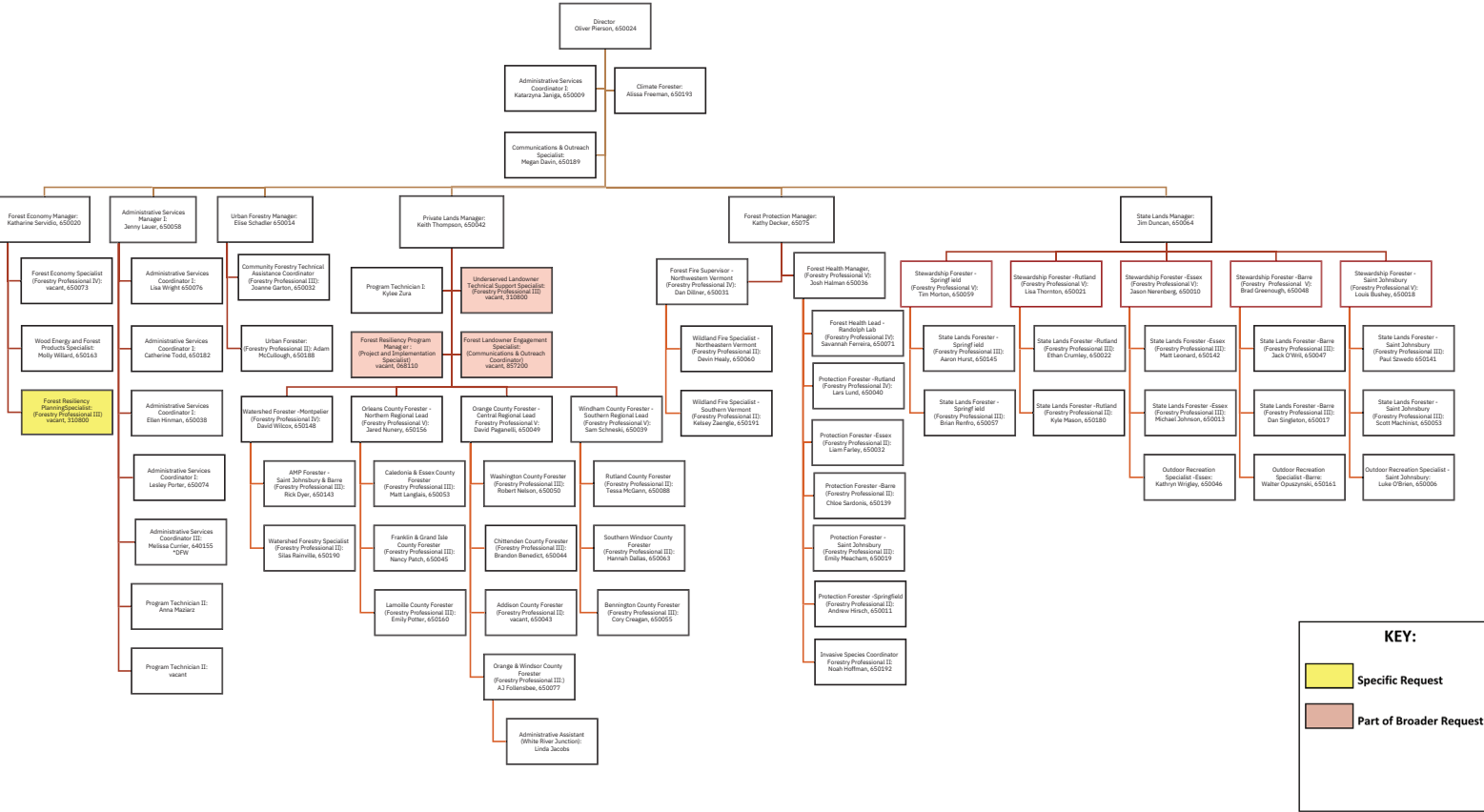
Vermont Division of Forests: Organizational Chart



KEY:

- Specific Request
- Part of Broader Request

Vermont Division of Forests: Organizational Chart



KEY:

- Specific Request
- Part of Broader Request

From: Lord, Leah - FS, DC <leah.lord@usda.gov>
Sent: Thursday, June 13, 2024 1:49 PM
To: Thompson, Keith <Keith.Thompson@vermont.gov>
Cc: Beringer, Peter - FS, NH <peter.beringer@usda.gov>; Smith, Nikola - FS, OR <nikola.smith@usda.gov>
Subject: RE: [External Email]Confirmation of Award - for position

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

We confirm that the U.S. Forest Service announced a \$5,000,000 award to the Vermont Department of Forests, Parks, and Recreation to support Growing Vermont's Forest Resilience. The Forest Service and the Department are in final negotiations related to project plans and documentation and assuming no issues arise, the intent is to execute the award as soon as possible this summer. Pre-award costs incurred after March 15, 2024, will be eligible for reimbursement after the award is executed.

Please let us know if you need something more official, and I will send by COB tomorrow.

Leah



Leah Lord
Program Manager
Forest Landowner Support, Cooperative Forestry
Forest Service
State, Private, and Tribal Forestry
c: +1-202-247-8524
leah.lord@usda.gov

www.fs.usda.gov



Caring for the land and serving people

State		Vermont		Data refreshed 6/4/2024					
Grantee & Grant Type		Agreement Number	Funding Source	Program	Status	Action	Cooperator Name	Project Title	Sum of Net Allocation
Other Cooperators									
	Bundle	23DG11094 200412	FY22 Annual Appropriations	Cooperative Lands Forest Health	Executed	Complete	University Of Vermont & State Agricultural College	Shifting Fire Regimes and the Threat of Forest Conversion of Unique Fire-Dependent Forests on the Green Mountain National Forest	\$58,212
	Bundle	23DG11094 200412	FY23 Annual Appropriations	Cooperative Lands Forest Health	Executed	Complete	University Of Vermont & State Agricultural College	Shifting Fire Regimes and the Threat of Forest Conversion of Unique Fire-Dependent Forests on the Green Mountain National Forest	\$43,500
	Stand Alone	23DG11094 200427	FY23 Annual Appropriations	Wood Innovations	Executed	Complete	Kerwin Hill Farms	Sweetland Farms Agricultural Use of Low Grade Woody Biomass	\$243,525
	Stand Alone	23DG11094 200475	FY23 Annual Appropriations	Community Forest Open Space	Executed	Complete	Town Of Monkton	Monkton Town Forest	\$400,000
	Stand Alone	23DG11094 200491	FY23 Annual Appropriations	Community Forest Open Space	Executed	Complete	Town Of Wolcott	Wolcott Community Forest	\$580,000
	Stand Alone	TBA	FY22 IRA	Urban And Community Forestry	Missing Application	New	City Of Rutland	Rutland City Urban Tree Canopy Enhancement in Disadvantaged Areas	\$1,000,000
	Stand Alone	TBA	FY24 Annual Appropriations	Forest Resource Information Analysis	Missing Application	New	Vermont Woodlands Association	Conserving Working Family Forests	\$500,000
	Stand Alone	TBA	FY24 Annual Appropriations	Wood Innovations	Missing Application	New	Greater Rockingham Area Services, Inc.	Greater Rockingham Area Services Biomass Boiler Project	\$230,359
	Stand Alone	TBA	FY24 Annual Appropriations	Wood Innovations	Missing Application	New	Ryegate Associates	Ryegate Associates: Waste Heat to Useable Thermal Energy	\$1,000,000
	Stand Alone	TBA	FY24 Annual Appropriations	Wood Innovations	TBA	New	Cersosimo Lumber Company, Inc.	Lumber Grade Optimization	\$300,000
	Stand Alone	TBA	FY24 Annual Appropriations	Wood Innovations	TBA	New	Vermont Renewable Gas, Llc	Vermont Renewable Gas – Lyndon	\$300,000
	Stand Alone	TBA	FY24 Annual Appropriations	Community Wood	Missing Application	New	Southwest Vt Supervisory Union	Southwest VT Supervisory Union Schools Renewable Energy Initiative: Biomass Boiler Systems for Sustainable Schools	\$710,930
Other Cooperators Total									\$5,366,526
State Cooperators (Including Third-Party Partners)									
	Bundle	TBA	FY24 BIL	Invasive Species Capacity Funds	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Invasive Species Capacity Funds	\$32,143
	Bundle	TBA	FY24 BIL	Invasive Species High Priority Regional Projects	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Ecological and cultural conservation of black ash in Vermont	\$75,367
	Stand Alone	23DG11094 200154	FY23 BIL	Invasive Species Capacity Funds	Executed	Complete	Department Of Forests Parks & Recreation Vermont	Increasing infrastructure for early detection of native and invasive forest pathogen DNA	\$30,000
	Stand Alone	23DG11094 200416	FY23 Annual Appropriations	Forest Market	Executed	Complete	Department Of Forests Parks & Recreation Vermont	Vermont School Energy Systems	\$400,000
	Stand Alone	24DG11094 200015	FY22 IRA	Legacy Admin	Executed	Complete	Department Of Forests Parks & Recreation Vermont	FLP Admin	\$372,000
	Stand Alone	TBA	FY22 IRA	Forest Landowner Support	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Building Capacity to Assist Underserved Landowners	\$500,000
	Stand Alone	TBA	FY22 IRA	Legacy Acquisition	TBA	New	Department Of Forests Parks & Recreation Vermont	Monroe River	\$410,000

VERMONT DEPARTMENT OF PERSONNEL
Request for Classification Action
New or Vacant Positions
Existing Job Class/Titles ONLY
Position Description Form C

- **This form is to be used by management to request the allocation of a new position, or reallocation of a vacant position, to an EXISTING class title.**
- Employee requests must be submitted on the separate "Position Description Form A."
- Requests for full classification, to determine the appropriate pay grade for any job class must be submitted on "Position Description Form A."
- This form was designed in Microsoft Word to download and complete on your computer. This is a form-protected document, so information can only be entered in the shaded areas of the form.
- To move from field to field use your mouse, the arrow keys or press Tab. Each form field has a limited number of characters. Use your mouse or the spacebar to mark and unmark a checkbox.
- Where additional space is needed to respond to a question, you will need to attach a separate page, and number the responses to correspond with the numbers of the questions on the form. Please contact your Personnel Officer if you have difficulty completing the form.
- All sections of this form are required to be completed unless otherwise stated.
- The form must be complete, including required attachments and signatures or it will be returned to the department's personnel office.

Request for Classification Action
New or Vacant Positions
EXISTING Job Class/Title ONLY
Position Description Form C/Notice of Action
For Department of Personnel Use Only

Notice of Action # _____		Date Received (Stamp)
Action Taken: _____		
New Job Title _____		
Current Class Code _____	New Class Code _____	
Current Pay Grade _____	New Pay Grade _____	
Current Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____		
New Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____		
Classification Analyst _____ Date _____		Effective Date: _____
Comments: _____		Date Processed: _____
Willis Rating/Components: Knowledge & Skills: _____ Mental Demands: _____ Accountability: _____ Working Conditions: _____ Total: _____		

Position Information:Incumbent: **Vacant or New Position**Position Number: Current Job/Class Title: Agency/Department/Unit: ANR/FPR/Forestry GUC: Pay Group: Work Station: Montpelier Zip Code: 05620Position Type: ☐ Permanent ☒ Limited Service (end date) 12/31/28Funding Source: ☐ Core ☐ Sponsored ☒ Partnership. For Partnership positions provide the funding breakdown (% General Fund, % Federal, etc.) 100% FederalSupervisor's Name, Title and Phone Number: Keith Thompson**Check the type of request (new or vacant position) and complete the appropriate section.**☒ **New Position(s):**a. REQUIRED: Allocation requested: Existing Class Code 068110 Existing Job/Class Title: Project and Implementation Specialist

b. Position authorized by:

☐ Joint Fiscal Office – JFO # Approval Date: ☐ Legislature – Provide statutory citation (e.g. Act XX, Section XXX(x), XXXX session) ☒ Other (explain) -- Provide statutory citation if appropriate. \$5.5 M Grant Funding Award
 from US Forest Service☐ **Vacant Position:**a. Position Number: b. Date position became vacant: c. Current Job/Class Code: Current Job/Class Title: d. REQUIRED: Requested (existing) Job/Class Code: Requested (existing) Job/Class Title:e. Are there any other changes to this position; for example: change of supervisor, GUC, work station? Yes ☐ No ☒ If Yes, please provide detailed information: **For All Requests:**

1. List the anticipated job duties and expectations; include all major job duties: One limited-service FTE position for a Project and Implementation Specialist / Forest Resiliency Project Manager to lead all aspects of grant program implementation and implementing partner and funding organization coordination, including identifying and interacting regularly with implementing partners, processing sub-agreements, completing a slew of foundational deliverables, and satisfying detailed reporting requirements which will significantly exceed capacity of existing staff. The Forest Resiliency Project Manager will be centrally located and this position is envisioned to be funded for at least two years, with potential extension for a second two-year period based on need, hence the request for a four-year period. Major job duties will include:

1. Interacting with Representatives from the Funding Organization, the US Forest Service, to ensure all aspects of the Cooperative Agreement are being managed appropriately and in compliance with federal and state rules and regulations.

2. Ensuring coordinated and timely completion and submission of deliverables and invoices. Deliverable completion will involve report writing / editing, soliciting content from partners, quality control, and coordinating review from a large group of actors.

3. Developing and holding all project partners accountable to the Project Work Plan, including a timeline of activities.

4. Serving as a principal point of contact for all implementing partner organizations, landowners, foresters, loggers, media, and State Government representatives for all questions and issues related to the Forest Resilience Program.

5. Ensuring sub-agreements are processed in a timely manner and are complied with by FPR and its implementing partners.

6. Leading periodic coordination meetings with all implementing partners and individuals representing key stakeholder groups.

2. Provide a brief justification/explanation of this request: On March 14, the USFS Forest Service notified FPR that we received a \$5 million award in response to a project proposal we had submitted entitled Growing Vermont's Forest Resilience: A Collaborative Strategy under an Inflation Reduction Act (IRA) RFP. Through an additional and related non-competitive IRA funding opportunity, the USFS also awarded FPR \$500k for development and implementation of a plan for engaging underserved landowners in VT (new landowners, veterans, and those in economically disadvantaged communities).

This USFS IRA funding opportunity was provided to support engagement of underserved and small forest landowners (less than 2500 acres) to manage forests so that they are more resilient to climate change and can benefit from emerging markets for forest products and uses. While some advocates narrowly consider carbon markets as the market for climate resilience accessible to private landowners and/or promote passive forest management as the only appropriate response to our climate emergency, Vermont's forest products markets have enormous potential to bring private funding to advance climate resilience while simultaneously working towards other economic, cultural, and environmental goals. This project is designed to link management for forest products with increased forest resilience on the ground and in the minds of landowners, foresters, loggers, and the public, so that markets for forest products increasingly become markets for resilience, by:

1. Increasing landowner awareness and demand for proven resilience practices through education, incentives, and effective communication.

2. Increasing the private sector's proficiency in and delivery of scientifically sound forest resilience-focused services through silviculture, communication, and skills training, and incentives.

To successfully implement the grants, additional capacity for provision of technical assistance, landowner engagement planning, project coordination, and field activity implementation is needed. FPR does not currently possess adequate capacity to take on this additional work, although the USFS award provides funding to hire additional staff members. This additional capacity is needed within FPR because:

- Landowners need to know that the advice they receive complies with the requirements of the Use Value Appraisal (UVA) Program. No technical assistance provider besides FPR County Foresters can provide free advice while also providing certainty about its intersection with UVA.

- This proposal is designed to significantly increase the demand for restorative forest management and for paid, private sector forestry services (many of which will be profitable for landowners). However, landowners who are considering hiring consulting foresters often wisely seek advice from FPR to calibrate expectations, identify next steps, and address concerns to ensure follow through. This project will increase demands on FPR staff and to meet both existing demands (UVA, AMPs, etc.) on an already overloaded staff contingent as well as the increased demands from this project, FPR proposes to hire additional staff, including the project manager called for in this form that focuses on completing deliverables, liaising with partners and the USFS, and keeping the project on track.

3. If the position will be supervisory, please list the names and titles of all classified employees reporting to this position (this information should be identified on the organizational chart as well). NA

Personnel Administrator's Section:

4. If the requested class title is part of a job series or career ladder, will the position be recruited at different levels? Yes ☐ No ☒

5. The name and title of the person who completed this form: Oliver Pierson, Director of Forests

6. Who should be contacted if there are questions about this position (provide name and phone number):

Oliver Pierson - 802-505-3563

7. How many other positions are allocated to the requested class title in the department: There are currently
no other positions allocated to the requested class title in the department.

8. Will this change (new position added/change to vacant position) affect other positions within the organization? (For example, will this have an impact on the supervisor's management level designation; will duties be shifted within the unit requiring review of other positions; or are there other issues relevant to the classification process.) No

Attachments:

- ☒ Organizational charts are **required** and must indicate where the position reports.
- ☐ Class specification (optional).
- ☐ For new positions, include copies of the language authorizing the position, or any other information that would help us better understand the program, the need for the position, etc.
- ☐ Other supporting documentation such as memos regarding department reorganization, or further explanation regarding the need to reallocate a vacancy (if appropriate).

DocuSigned by:

Cheryl Dopp

45CEC7671F7C4EB...

Personnel Administrator's Signature (**required**)*

6/14/2024

Date

DocuSigned by:

Keith Thompson

FA3C7220A543482...

Supervisor's Signature (**required**)*

6/14/2024

Date

DocuSigned by:

Danielle Fitzko

5BE1AA84753549F...

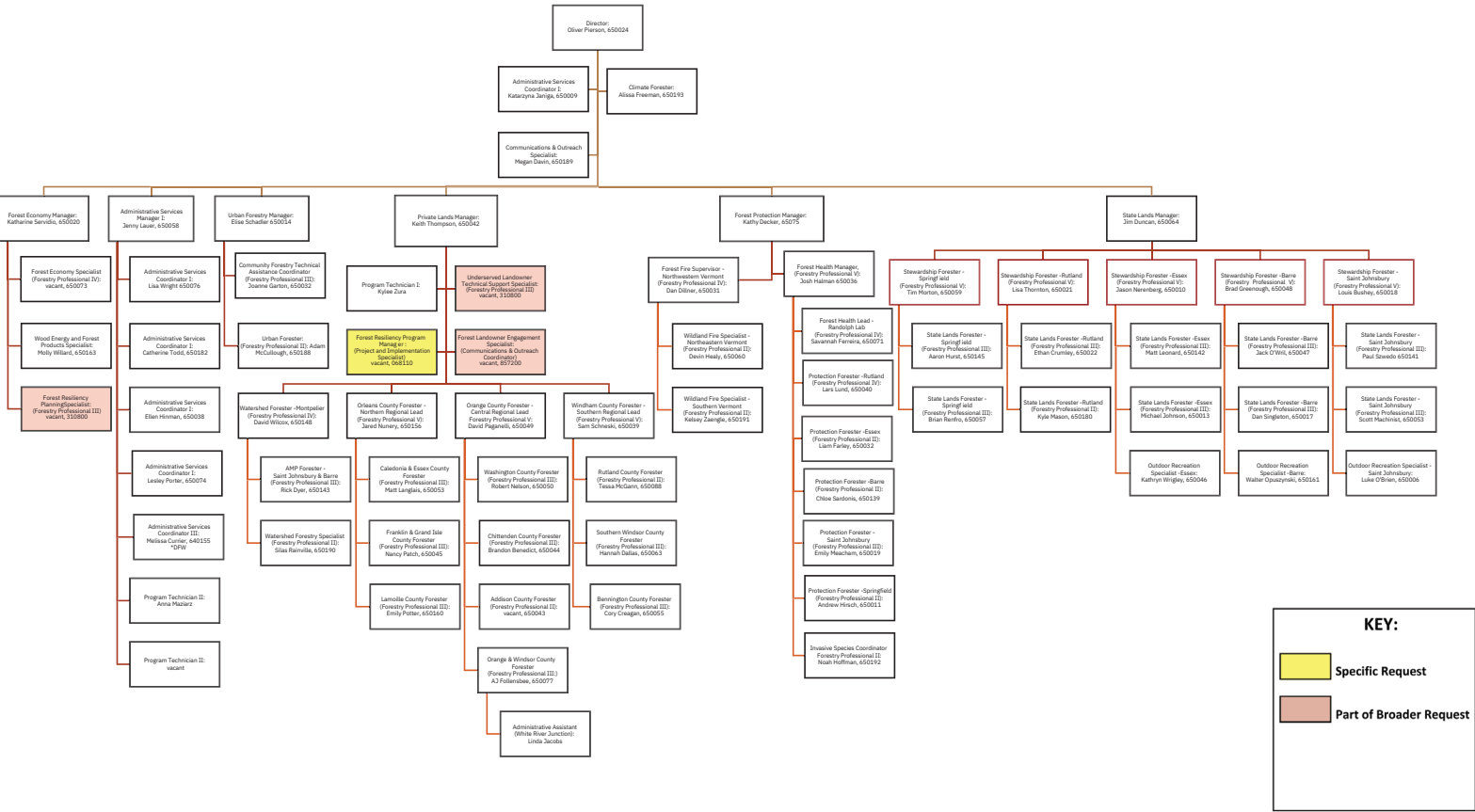
Appointing Authority or Authorized Representative Signature (**required**)*

6/14/2024

Date

* Note: Attach additional information or comments if appropriate.

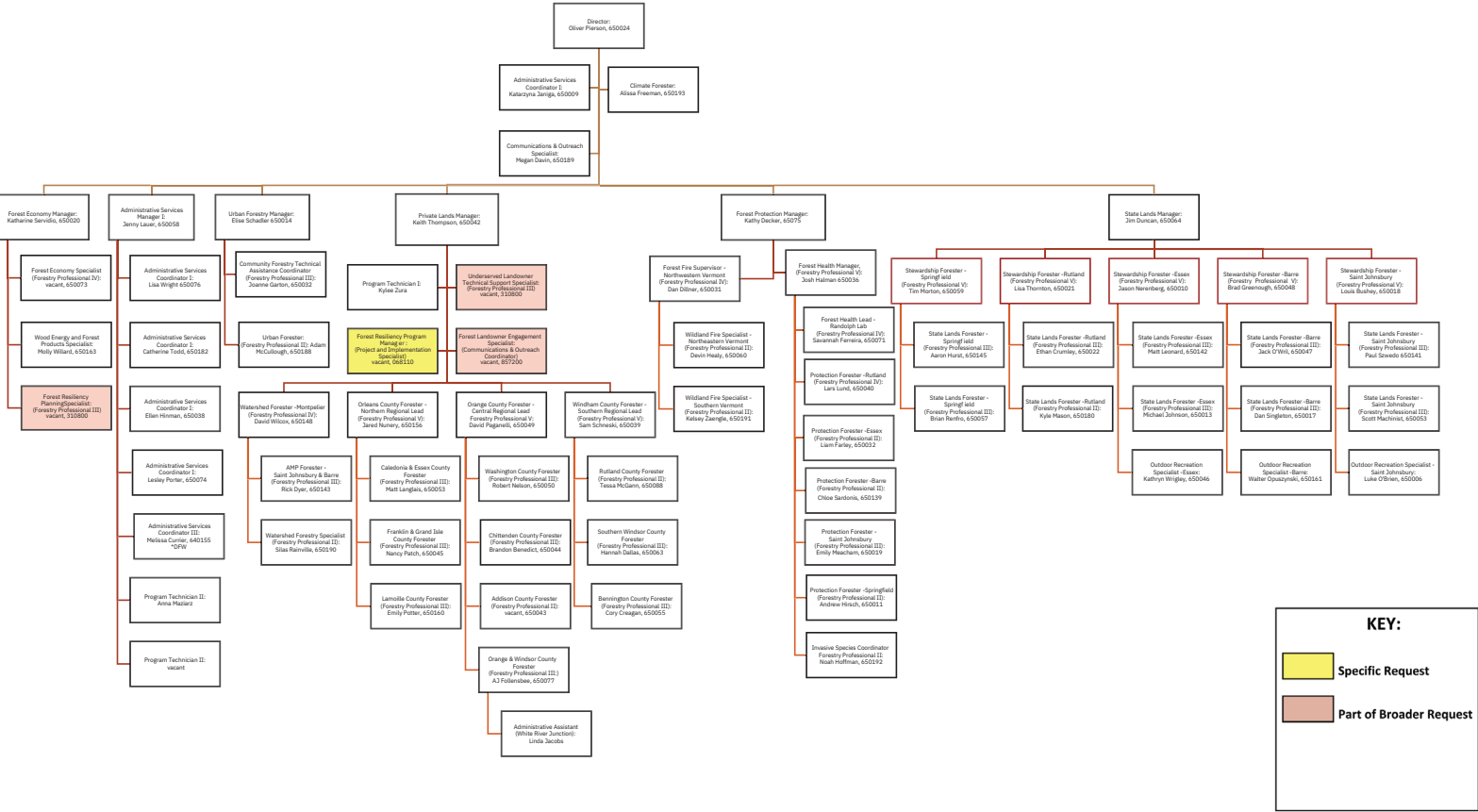
Vermont Division of Forests: Organizational Chart



KEY:

- Specific Request
- Part of Broader Request

Vermont Division of Forests: Organizational Chart



KEY:

- Specific Request
- Part of Broader Request

From: Lord, Leah - FS, DC <leah.lord@usda.gov>
Sent: Thursday, June 13, 2024 1:49 PM
To: Thompson, Keith <Keith.Thompson@vermont.gov>
Cc: Beringer, Peter - FS, NH <peter.beringer@usda.gov>; Smith, Nikola - FS, OR <nikola.smith@usda.gov>
Subject: RE: [External Email]Confirmation of Award - for position

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

We confirm that the U.S. Forest Service announced a \$5,000,000 award to the Vermont Department of Forests, Parks, and Recreation to support Growing Vermont's Forest Resilience. The Forest Service and the Department are in final negotiations related to project plans and documentation and assuming no issues arise, the intent is to execute the award as soon as possible this summer. Pre-award costs incurred after March 15, 2024, will be eligible for reimbursement after the award is executed.

Please let us know if you need something more official, and I will send by COB tomorrow.

Leah



Leah Lord
Program Manager
Forest Landowner Support, Cooperative Forestry
Forest Service
State, Private, and Tribal Forestry
c: +1-202-247-8524
leah.lord@usda.gov

www.fs.usda.gov



Caring for the land and serving people

State	Vermont	Data refreshed 6/4/2024							
Grantee & Grant Type	Agreement Number	Funding Source	Program	Status	Action	Cooperator Name	Project Title	Sum of Net Allocation	
Other Cooperators									
	Bundle 23DG11094 200412	FY22 Annual Appropriations	Cooperative Lands Forest Health	Executed	Complete	University Of Vermont & State Agricultural College	Shifting Fire Regimes and the Threat of Forest Conversion of Unique Fire-Dependent Forests on the Green Mountain National Forest	\$58,212	
	Bundle 23DG11094 200412	FY23 Annual Appropriations	Cooperative Lands Forest Health	Executed	Complete	University Of Vermont & State Agricultural College	Shifting Fire Regimes and the Threat of Forest Conversion of Unique Fire-Dependent Forests on the Green Mountain National Forest	\$43,500	
	Stand Alone 23DG11094 200427	FY23 Annual Appropriations	Wood Innovations	Executed	Complete	Kerwin Hill Farms	Sweetland Farms Agricultural Use of Low Grade Woody Biomass	\$243,525	
	Stand Alone 23DG11094 200475	FY23 Annual Appropriations	Community Forest Open Space	Executed	Complete	Town Of Monkton	Monkton Town Forest	\$400,000	
	Stand Alone 23DG11094 200491	FY23 Annual Appropriations	Community Forest Open Space	Executed	Complete	Town Of Wolcott	Wolcott Community Forest	\$580,000	
	Stand Alone TBA	FY22 IRA	Urban And Community Forestry	Missing Application	New	City Of Rutland	Rutland City Urban Tree Canopy Enhancement in Disadvantaged Areas	\$1,000,000	
	Stand Alone TBA	FY24 Annual Appropriations	Forest Resource Information Analysis	Missing Application	New	Vermont Woodlands Association	Conserving Working Family Forests	\$500,000	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	Missing Application	New	Greater Rockingham Area Services, Inc.	Greater Rockingham Area Services Biomass Boiler Project	\$230,359	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	Missing Application	New	Ryegate Associates	Ryegate Associates: Waste Heat to Useable Thermal Energy	\$1,000,000	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	TBA	New	Cersosimo Lumber Company, Inc.	Lumber Grade Optimization	\$300,000	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	TBA	New	Vermont Renewable Gas, Llc	Vermont Renewable Gas – Lyndon	\$300,000	
	Stand Alone TBA	FY24 Annual Appropriations	Community Wood	Missing Application	New	Southwest Vt Supervisory Union	Southwest VT Supervisory Union Schools Renewable Energy Initiative: Biomass Boiler Systems for Sustainable Schools	\$710,930	
Other Cooperators Total								\$5,366,526	
State Cooperators (Including Third-Party Partners)									
	Bundle TBA	FY24 BIL	Invasive Species Capacity Funds	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Invasive Species Capacity Funds	\$32,143	
	Bundle TBA	FY24 BIL	Invasive Species High Priority Regional Projects	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Ecological and cultural conservation of black ash in Vermont	\$75,367	
	Stand Alone 23DG11094 200154	FY23 BIL	Invasive Species Capacity Funds	Executed	Complete	Department Of Forests Parks & Recreation Vermont	Increasing infrastructure for early detection of native and invasive forest pathogen DNA	\$30,000	
	Stand Alone 23DG11094 200416	FY23 Annual Appropriations	Forest Market	Executed	Complete	Department Of Forests Parks & Recreation Vermont	Vermont School Energy Systems	\$400,000	
	Stand Alone 24DG11094 200015	FY22 IRA	Legacy Admin	Executed	Complete	Department Of Forests Parks & Recreation Vermont	FLP Admin	\$372,000	
	Stand Alone TBA	FY22 IRA	Forest Landowner Support	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Building Capacity to Assist Underserved Landowners	\$500,000	
	Stand Alone TBA	FY22 IRA	Legacy Acquisition	TBA	New	Department Of Forests Parks & Recreation Vermont	Monroe River	\$410,000	

VERMONT DEPARTMENT OF PERSONNEL
Request for Classification Action
New or Vacant Positions
Existing Job Class/Titles ONLY
Position Description Form C

- **This form is to be used by management to request the allocation of a new position, or reallocation of a vacant position, to an EXISTING class title.**
- Employee requests must be submitted on the separate "Position Description Form A."
- Requests for full classification, to determine the appropriate pay grade for any job class must be submitted on "Position Description Form A."
- This form was designed in Microsoft Word to download and complete on your computer. This is a form-protected document, so information can only be entered in the shaded areas of the form.
- To move from field to field use your mouse, the arrow keys or press Tab. Each form field has a limited number of characters. Use your mouse or the spacebar to mark and unmark a checkbox.
- Where additional space is needed to respond to a question, you will need to attach a separate page, and number the responses to correspond with the numbers of the questions on the form. Please contact your Personnel Officer if you have difficulty completing the form.
- All sections of this form are required to be completed unless otherwise stated.
- The form must be complete, including required attachments and signatures or it will be returned to the department's personnel office.

Request for Classification Action
New or Vacant Positions
EXISTING Job Class/Title ONLY
Position Description Form C/Notice of Action
For Department of Personnel Use Only

Notice of Action # _____		Date Received (Stamp)
Action Taken: _____		
New Job Title _____		
Current Class Code _____	New Class Code _____	
Current Pay Grade _____	New Pay Grade _____	
Current Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____		
New Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____		
Classification Analyst _____		Date _____
Effective Date: _____		Date Processed: _____
Comments: _____		
Willis Rating/Components: _____ Knowledge & Skills: _____ Mental Demands: _____ Accountability: _____ Working Conditions: _____ Total: _____		

Position Information:Incumbent: **Vacant or New Position**Position Number: Current Job/Class Title: Agency/Department/Unit: GUC: Pay Group: Work Station: Zip Code: Position Type: ☐ Permanent ☒ Limited Service (end date) Funding Source: ☐ Core ☐ Sponsored ☒ Partnership. For Partnership positions provide the funding breakdown (% General Fund, % Federal, etc.) Supervisor's Name, Title and Phone Number: **Check the type of request (new or vacant position) and complete the appropriate section.**☒ **New Position(s):**a. **REQUIRED:** Allocation requested: Existing Class Code Existing Job/Class Title:

b. Position authorized by:

☐ Joint Fiscal Office – JFO # Approval Date:

- ☐ Legislature – Provide statutory citation (e.g. Act XX, Section XXX(x), XXXX session) ☐
- ☒ Other (explain) -- Provide statutory citation if appropriate. \$5.5M Grant Funding Award from US Forest Service

☐ **Vacant Position:**

- a. Position Number:
- b. Date position became vacant:
- c. Current Job/Class Code: Current Job/Class Title:
- d. REQUIRED: Requested (existing) Job/Class Code: Requested (existing) Job/Class Title:
- e. Are there any other changes to this position; for example: change of supervisor, GUC, work station? Yes ☐ No ☒ If Yes, please provide detailed information:

For All Requests:

1. List the anticipated job duties and expectations; include all major job duties: One limited-service FTE position is needed to serve as a Forest Landowner Engagement Specialist, leading communication and outreach efforts, providing evaluation of communications and outreach needs and opportunities to advance forest resilience objectives on private lands in collaboration with landowners, loggers, and foresters. This position will focus on improving efficacy of program-wide systems and services that drive program communication and engagement of underserved forest landowners in Vermont. The Forest Landowner Engagement Specialist will be centrally located and this position is envisioned to be funded for four years. Major job duties will include:

1. Develop and refine systems for the Private Lands Program to facilitate strategic and efficient dissemination of communication and outreach messages about the forest resilience program, financial incentives, and complementary strategies aimed at generating interest from all relevant stakeholders to motivate engagement in the program, getting the word out about public events, and sharing successes and lessons learned.

2. Lead the development and implementation of a Resilience communication, outreach and assistance plan specifically geared towards underserved landowners that will increase their awareness and understanding of resilience benefits, provide opportunities to implement revenue generating resilience practices, address emerging public perception around forests, climate and carbon, and increase knowledge of how to access to professional assistance available to landowners in implementing resilient forestry practices.

3. Collaboratively develop communication plan during year 1, a marketing plan and partner message dissemination toolkit during years 1-2, and marketing plan implementation and resource development years 3-4.

4. Ensure project tools are accessible to all beneficiaries and program participants and lead layout and content development for project publications.

2. Provide a brief justification/explanation of this request: On March 14, the USFS Forest Service notified FPR that we received a \$5 million award in response to a project proposal we had submitted entitled Growing Vermont's Forest Resilience: A Collaborative Strategy under an Inflation Reduction Act (IRA) RFP. Through an additional and related non-competitive IRA funding opportunity, the USFS also awarded FPR \$500k for development and implementation of a plan for engaging underserved landowners in VT (new landowners, veterans, and those in economically disadvantaged communities).

This USFS IRA funding opportunity was provided to support engagement of underserved and small forest landowners (less than 2500 acres) to manage forests so that they are more resilient to climate change and can benefit from emerging markets for forest products and uses. While some advocates narrowly consider carbon markets as the market for climate resilience accessible to private landowners and/or promote passive forest management as the only appropriate response to our climate emergency, Vermont's forest products markets have enormous potential to bring private funding to advance climate resilience while simultaneously working towards other economic, cultural, and environmental goals. This project is designed to link management for forest products with increased forest resilience on the ground and in the minds of landowners, foresters, loggers, and the public, so that markets for forest products increasingly become markets for resilience, by:

1. Increasing landowner awareness and demand for proven resilience practices through education, incentives, and effective communication.

2. Increasing the private sector's proficiency in and delivery of scientifically sound forest resilience-focused services through silviculture, communication, and skills training, and incentives.

To successfully implement the grants, additional capacity for provision of technical assistance, landowner engagement planning, project coordination, and field activity implementation is needed. FPR does not currently possess adequate capacity to take on this additional work, although the USFS award provides funding to hire additional staff members. This additional capacity is needed within FPR because:

- Landowners need to know that the advice they receive complies with the requirements of the Use Value Appraisal (UVA) Program. No technical assistance provider besides FPR County Foresters can provide free advice while also providing certainty about its intersection with UVA.

- This proposal is designed to significantly increase the demand for restorative forest management and for paid, private sector forestry services (many of which will be profitable for landowners). However, landowners who are considering hiring consulting foresters often wisely seek advice from FPR to calibrate expectations, identify next steps, and address concerns to ensure follow through. This project will increase demands on FPR staff and to meet both existing demands (UVA, AMPs, etc.) on an already overloaded staff contingent as well as the increased demands from this project, FPR proposes to hire additional staff, including the communications and outreach lead called for in this form that will focus on engagement, outreach, and communication with forest landowners, loggers, consulting foresters, and partner organizations statewide.

3. If the position will be supervisory, please list the names and titles of all classified employees reporting to this position (this information should be identified on the organizational chart as well). NA

Personnel Administrator's Section:

4. If the requested class title is part of a job series or career ladder, will the position be recruited at different levels? Yes ☐ No ☒

5. The name and title of the person who completed this form: Oliver Pierson, Director of Forests

6. Who should be contacted if there are questions about this position (provide name and phone number): Oliver Pierson - 802-505-3563

7. How many other positions are allocated to the requested class title in the department: There is currently one other staff member working as a Communications and Outreach Specialist within FPR.

8. Will this change (new position added/change to vacant position) affect other positions within the organization? (For example, will this have an impact on the supervisor's management level designation; will

duties be shifted within the unit requiring review of other positions; or are there other issues relevant to the classification process.) ☒ No

Attachments:

- ☒ Organizational charts are **required** and must indicate where the position reports.
- ☐ Class specification (optional).
- ☐ For new positions, include copies of the language authorizing the position, or any other information that would help us better understand the program, the need for the position, etc.
- ☐ Other supporting documentation such as memos regarding department reorganization, or further explanation regarding the need to reallocate a vacancy (if appropriate).

DocuSigned by:

Cheryl Dopp

45CEC7671F7C4EB...

6/14/2024

Personnel Administrator's Signature (**required**)*

Date

DocuSigned by:

Keith Thompson

FA3C7220A543482...

6/14/2024

Supervisor's Signature (**required**)*

Date

DocuSigned by:

Danielle Fitzko

5BE1AA84753549F...

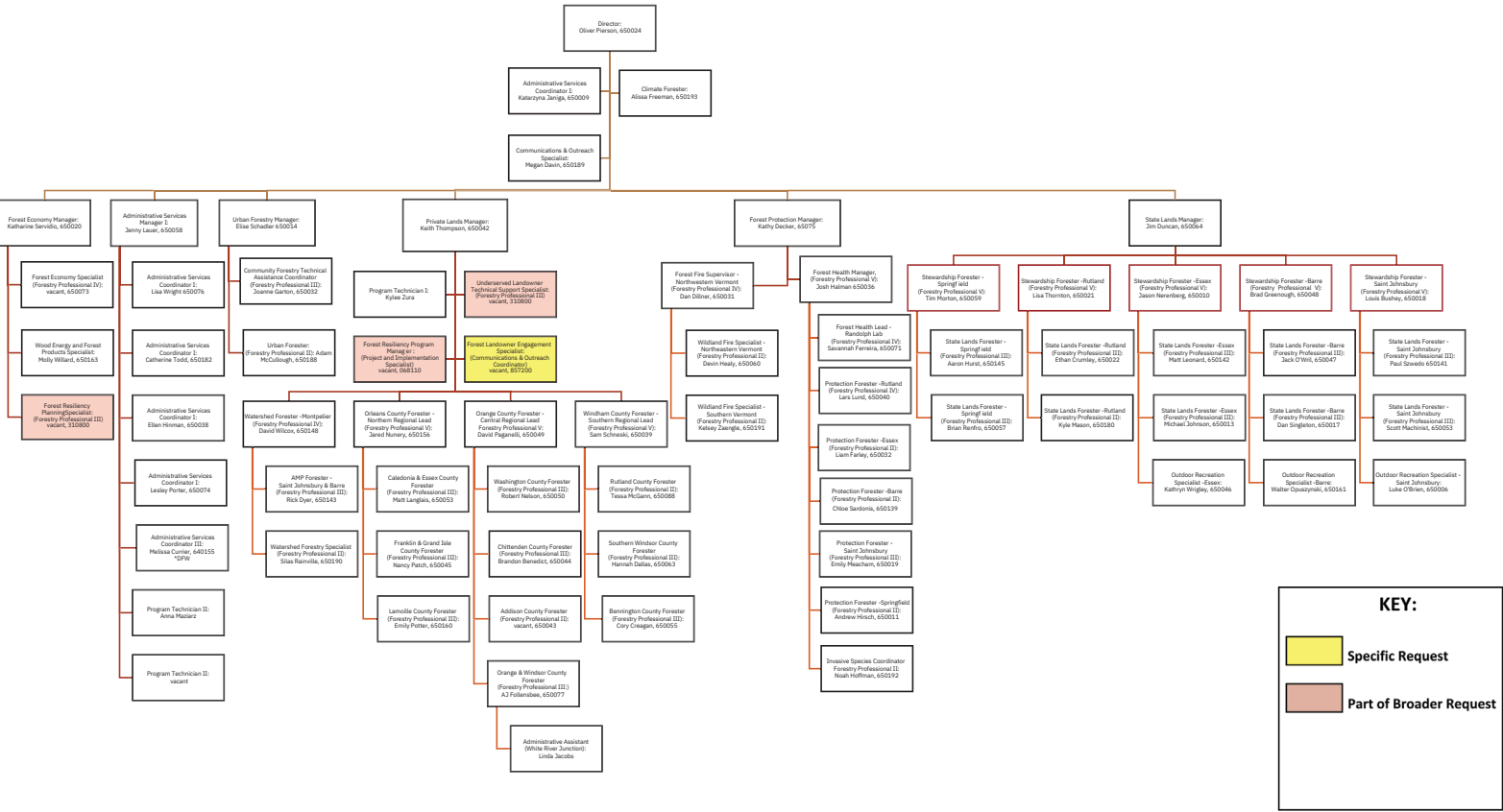
6/14/2024

Appointing Authority or Authorized Representative Signature (**required**)*

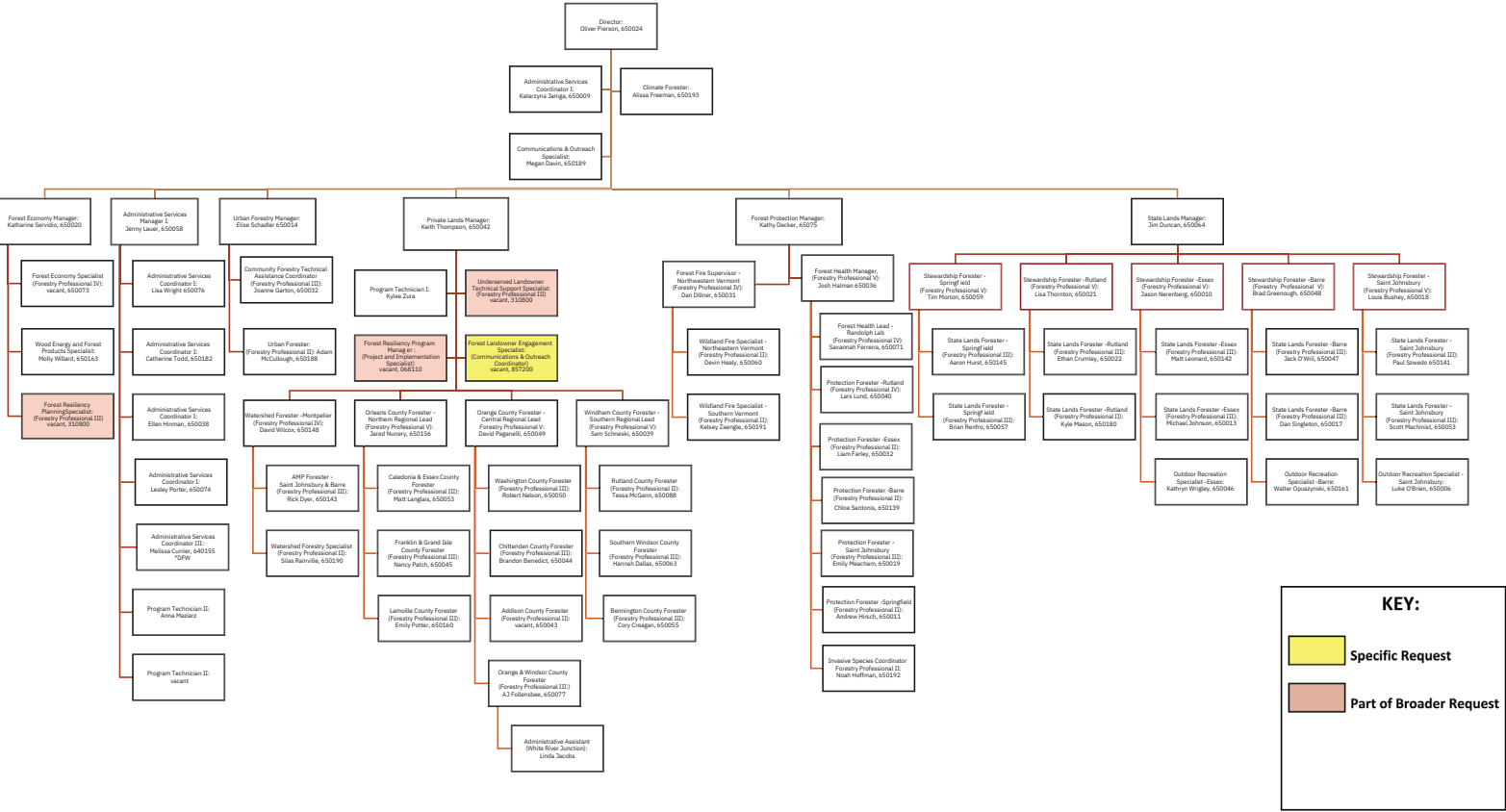
Date

* Note: Attach additional information or comments if appropriate.

Vermont Division of Forests: Organizational Chart



Vermont Division of Forests: Organizational Chart



KEY:

- Specific Request
- Part of Broader Request

From: Lord, Leah - FS, DC <leah.lord@usda.gov>
Sent: Thursday, June 13, 2024 1:49 PM
To: Thompson, Keith <Keith.Thompson@vermont.gov>
Cc: Beringer, Peter - FS, NH <peter.beringer@usda.gov>; Smith, Nikola - FS, OR <nikola.smith@usda.gov>
Subject: RE: [External Email]Confirmation of Award - for position

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

We confirm that the U.S. Forest Service announced a \$5,000,000 award to the Vermont Department of Forests, Parks, and Recreation to support Growing Vermont's Forest Resilience. The Forest Service and the Department are in final negotiations related to project plans and documentation and assuming no issues arise, the intent is to execute the award as soon as possible this summer. Pre-award costs incurred after March 15, 2024, will be eligible for reimbursement after the award is executed.

Please let us know if you need something more official, and I will send by COB tomorrow.

Leah



Leah Lord
Program Manager
Forest Landowner Support, Cooperative Forestry
Forest Service
State, Private, and Tribal Forestry
c: +1-202-247-8524
leah.lord@usda.gov

www.fs.usda.gov



Caring for the land and serving people

State	Vermont	Data refreshed 6/4/2024							
Grantee & Grant Type	Agreement Number	Funding Source	Program	Status	Action	Cooperator Name	Project Title	Sum of Net Allocation	
Other Cooperators									
	Bundle 23DG11094 200412	FY22 Annual Appropriations	Cooperative Lands Forest Health	Executed	Complete	University Of Vermont & State Agricultural College	Shifting Fire Regimes and the Threat of Forest Conversion of Unique Fire-Dependent Forests on the Green Mountain National Forest	\$58,212	
	Bundle 23DG11094 200412	FY23 Annual Appropriations	Cooperative Lands Forest Health	Executed	Complete	University Of Vermont & State Agricultural College	Shifting Fire Regimes and the Threat of Forest Conversion of Unique Fire-Dependent Forests on the Green Mountain National Forest	\$43,500	
	Stand Alone 23DG11094 200427	FY23 Annual Appropriations	Wood Innovations	Executed	Complete	Kerwin Hill Farms	Sweetland Farms Agricultural Use of Low Grade Woody Biomass	\$243,525	
	Stand Alone 23DG11094 200475	FY23 Annual Appropriations	Community Forest Open Space	Executed	Complete	Town Of Monkton	Monkton Town Forest	\$400,000	
	Stand Alone 23DG11094 200491	FY23 Annual Appropriations	Community Forest Open Space	Executed	Complete	Town Of Wolcott	Wolcott Community Forest	\$580,000	
	Stand Alone TBA	FY22 IRA	Urban And Community Forestry	Missing Application	New	City Of Rutland	Rutland City Urban Tree Canopy Enhancement in Disadvantaged Areas	\$1,000,000	
	Stand Alone TBA	FY24 Annual Appropriations	Forest Resource Information Analysis	Missing Application	New	Vermont Woodlands Association	Conserving Working Family Forests	\$500,000	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	Missing Application	New	Greater Rockingham Area Services, Inc.	Greater Rockingham Area Services Biomass Boiler Project	\$230,359	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	Missing Application	New	Ryegate Associates	Ryegate Associates: Waste Heat to Useable Thermal Energy	\$1,000,000	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	TBA	New	Cersosimo Lumber Company, Inc.	Lumber Grade Optimization	\$300,000	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	TBA	New	Vermont Renewable Gas, Llc	Vermont Renewable Gas – Lyndon	\$300,000	
	Stand Alone TBA	FY24 Annual Appropriations	Community Wood	Missing Application	New	Southwest Vt Supervisory Union	Southwest VT Supervisory Union Schools Renewable Energy Initiative: Biomass Boiler Systems for Sustainable Schools	\$710,930	
Other Cooperators Total								\$5,366,526	
State Cooperators (Including Third-Party Partners)									
	Bundle TBA	FY24 BIL	Invasive Species Capacity Funds	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Invasive Species Capacity Funds	\$32,143	
	Bundle TBA	FY24 BIL	Invasive Species High Priority Regional Projects	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Ecological and cultural conservation of black ash in Vermont	\$75,367	
	Stand Alone 23DG11094 200154	FY23 BIL	Invasive Species Capacity Funds	Executed	Complete	Department Of Forests Parks & Recreation Vermont	Increasing infrastructure for early detection of native and invasive forest pathogen DNA	\$30,000	
	Stand Alone 23DG11094 200416	FY23 Annual Appropriations	Forest Market	Executed	Complete	Department Of Forests Parks & Recreation Vermont	Vermont School Energy Systems	\$400,000	
	Stand Alone 24DG11094 200015	FY22 IRA	Legacy Admin	Executed	Complete	Department Of Forests Parks & Recreation Vermont	FLP Admin	\$372,000	
	Stand Alone TBA	FY22 IRA	Forest Landowner Support	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Building Capacity to Assist Underserved Landowners	\$500,000	
	Stand Alone TBA	FY22 IRA	Legacy Acquisition	TBA	New	Department Of Forests Parks & Recreation Vermont	Monroe River	\$410,000	

VERMONT DEPARTMENT OF PERSONNEL
Request for Classification Action
New or Vacant Positions
Existing Job Class/Titles ONLY
Position Description Form C

- **This form is to be used by management to request the allocation of a new position, or reallocation of a vacant position, to an EXISTING class title.**
- Employee requests must be submitted on the separate "Position Description Form A."
- Requests for full classification, to determine the appropriate pay grade for any job class must be submitted on "Position Description Form A."
- This form was designed in Microsoft Word to download and complete on your computer. This is a form-protected document, so information can only be entered in the shaded areas of the form.
- To move from field to field use your mouse, the arrow keys or press Tab. Each form field has a limited number of characters. Use your mouse or the spacebar to mark and unmark a checkbox.
- Where additional space is needed to respond to a question, you will need to attach a separate page, and number the responses to correspond with the numbers of the questions on the form. Please contact your Personnel Officer if you have difficulty completing the form.
- All sections of this form are required to be completed unless otherwise stated.
- The form must be complete, including required attachments and signatures or it will be returned to the department's personnel office.

Request for Classification Action
New or Vacant Positions
EXISTING Job Class/Title ONLY
Position Description Form C/Notice of Action
For Department of Personnel Use Only

Notice of Action # _____		Date Received (Stamp)
Action Taken: _____		
New Job Title _____		
Current Class Code _____	New Class Code _____	
Current Pay Grade _____	New Pay Grade _____	
Current Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____		
New Mgt Level _____ B/U _____ OT Cat. _____ EEO Cat. _____ FLSA _____		
Classification Analyst _____ Date _____		Effective Date: _____
Comments: _____		Date Processed: _____
Willis Rating/Components: Knowledge & Skills: _____ Mental Demands: _____ Accountability: _____ Working Conditions: _____ Total: _____		

Position Information:Incumbent: **Vacant or New Position**Position Number: Current Job/Class Title: Agency/Department/Unit: ANR/FPR/Forestry GUC: Pay Group: Work Station: Montpelier Zip Code: 05620Position Type: ☐ Permanent ☒ Limited Service (end date) 12/31/28Funding Source: ☐ Core ☐ Sponsored ☒ Partnership. For Partnership positions provide the funding breakdown (% General Fund, % Federal, etc.) 100% FederalSupervisor's Name, Title and Phone Number: Keith Thompson**Check the type of request (new or vacant position) and complete the appropriate section.**☒ **New Position(s):**a. REQUIRED: Allocation requested: Existing Class Code 310800 Existing Job/Class Title: Forestry Professional III

b. Position authorized by:

☐ Joint Fiscal Office – JFO # Approval Date: ☐ Legislature – Provide statutory citation (e.g. Act XX, Section XXX(x), XXXX session) ☒ Other (explain) -- Provide statutory citation if appropriate. \$5.5M Grant Funding Award from
 US Forest Service☐ **Vacant Position:**a. Position Number: b. Date position became vacant: c. Current Job/Class Code: Current Job/Class Title: d. REQUIRED: Requested (existing) Job/Class Code: Requested (existing) Job/Class Title:e. Are there any other changes to this position; for example: change of supervisor, GUC, work station? Yes ☐ No ☒ If Yes, please provide detailed information: **For All Requests:**

1. List the anticipated job duties and expectations; include all major job duties: One limited-service FTE position for a Forestry Professional III / Underserved Landowner Technical Support Specialist to expand landowner assistance and outreach capacity to underserved landowners (new landowners and landowners in economically disadvantaged communities) to to supplement county forester response and accommodate increased landowner demand generated by the \$5 Million USFS Inflation Reduction Grant that aims to grow Vermont's forest resilience capacity in a collaborative manne. The Underserved Landowner Technical Support Specialist will be centrally and this position is envisioned to be funded for the full 4-year grant period. Major job duties will include:

1. Support content/messaging development necessary to execute on priority forest management strategies identified by the private lands analyst (a separate new Limited Service FTE Position being created).

2. Identify underserved landowners, provide initial information about the grant funded program with them, obtain their commitment to participate, and support their continued participation in grant activities by serving as a liason between them and grant service providers and activities.

3. Support the development and delivery of grant funded training, material, such as the "beginning landowner training course," the "forest resilience standard," and "stewardship plans" to ensure that they are accessible to underserved landowners and contains compelling and digestible information so that landowners see the benefit of participating in this program.

4. Serve as a "stewardship liaison" between landowners and foresters / loggers, to ensure all parties clearly understand the resilience measures to be implemented at a given site as part of a broader forest management effort, there is documented agreement about practices, costs, and payments, and monitoring is done to ensure agreements are complied with.

2. Provide a brief justification/explanation of this request: On March 14, the USFS Forest Service notified FPR that we received a \$5 million award in response to a project proposal we had submitted entitled Growing Vermont's Forest Resilience: A Collaborative Strategy under an Inflation Reduction Act (IRA) RFP. Through an additional and related non-competitive IRA funding opportunity, the USFS also awarded FPR \$500k for

development and implementation of a plan for engaging underserved landowners in VT (new landowners, veterans, and those in economically disadvantaged communities).

This USFS IRA funding opportunity was provided to support engagement of underserved and small forest landowners (less than 2500 acres) to manage forests so that they are more resilient to climate change and can benefit from emerging markets for forest products and uses. While some advocates narrowly consider carbon markets as the market for climate resilience accessible to private landowners and/or promote passive forest management as the only appropriate response to our climate emergency, Vermont's forest products markets have enormous potential to bring private funding to advance climate resilience while simultaneously working towards other economic, cultural, and environmental goals. This project is designed to link management for forest products with increased forest resilience on the ground and in the minds of landowners, foresters, loggers, and the public, so that markets for forest products increasingly become markets for resilience, by:

1. Increasing landowner awareness and demand for proven resilience practices through education, incentives, and effective communication.

2. Increasing the private sector's proficiency in and delivery of scientifically sound forest resilience-focused services through silviculture, communication, and skills training, and incentives.

To successfully implement the grants, additional capacity for provision of technical assistance, landowner engagement planning, project coordination, and field activity implementation is needed. FPR does not currently possess adequate capacity to take on this additional work, although the USFS award provides funding to hire additional staff members. This additional capacity is needed within FPR because:

- Landowners need to know that the advice they receive complies with the requirements of the Use Value Appraisal (UVA) Program. No technical assistance provider besides FPR County Foresters can provide free advice while also providing certainty about its intersection with UVA.

- This proposal is designed to significantly increase the demand for restorative forest management and for paid, private sector forestry services (many of which will be profitable for landowners). However, landowners who are considering hiring consulting foresters often wisely seek advice from FPR to calibrate expectations, identify next steps, and address concerns to ensure follow through. This project will increase demands on FPR staff and to meet both existing demands (UVA, AMPs, etc.) on an already overloaded staff contingent as well as the increased demands from this project, FPR proposes to hire additional staff, including the forester called for in this form that focuses on supporting underserved landowners.

3. If the position will be supervisory, please list the names and titles of all classified employees reporting to this position (this information should be identified on the organizational chart as well). NA

Personnel Administrator's Section:

4. If the requested class title is part of a job series or career ladder, will the position be recruited at different levels? Yes ☐ No ☒

5. The name and title of the person who completed this form: Oliver Pierson, Director of Forests

6. Who should be contacted if there are questions about this position (provide name and phone number):
Oliver Pierson - 802-505-3563

7. How many other positions are allocated to the requested class title in the department: There are currently twenty staff members working at the Forestry Professional III level within FPR.

8. Will this change (new position added/change to vacant position) affect other positions within the organization? (For example, will this have an impact on the supervisor's management level designation; will duties be shifted within the unit requiring review of other positions; or are there other issues relevant to the classification process.) ☒ No

Attachments:

- ☒ Organizational charts are **required** and must indicate where the position reports.
- ☐ Class specification (optional).
- ☐ For new positions, include copies of the language authorizing the position, or any other information that would help us better understand the program, the need for the position, etc.
- ☐ Other supporting documentation such as memos regarding department reorganization, or further explanation regarding the need to reallocate a vacancy (if appropriate).

DocuSigned by:



45CEC7671F7C4EB...

6/14/2024

Personnel Administrator's Signature (**required**)*

Date

DocuSigned by:



FA3C7220A543482...

6/14/2024

Supervisor's Signature (**required**)*

Date

DocuSigned by:



5BE1AA84753549F...

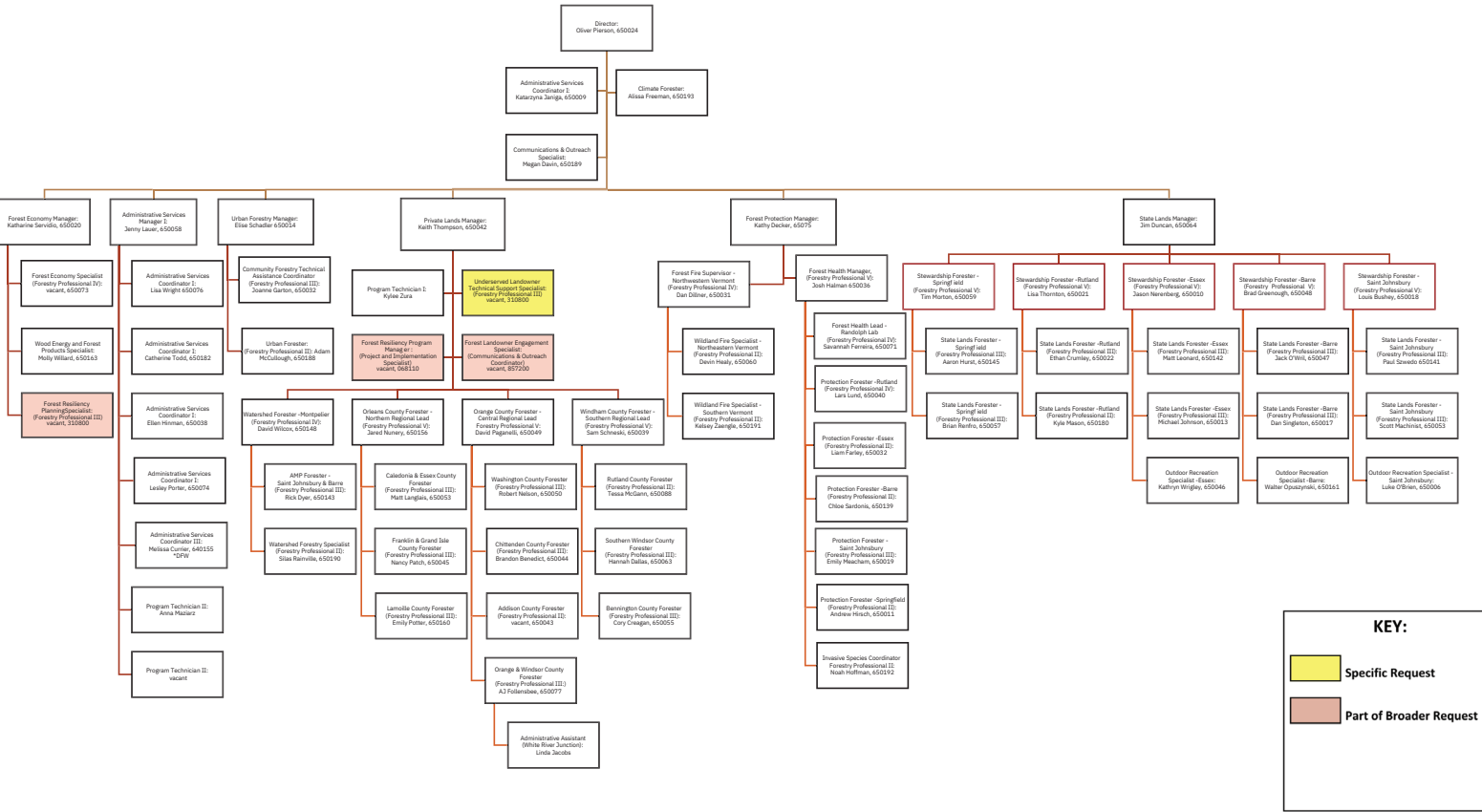
6/14/2024

Appointing Authority or Authorized Representative Signature (**required**)*

Date

* Note: Attach additional information or comments if appropriate.

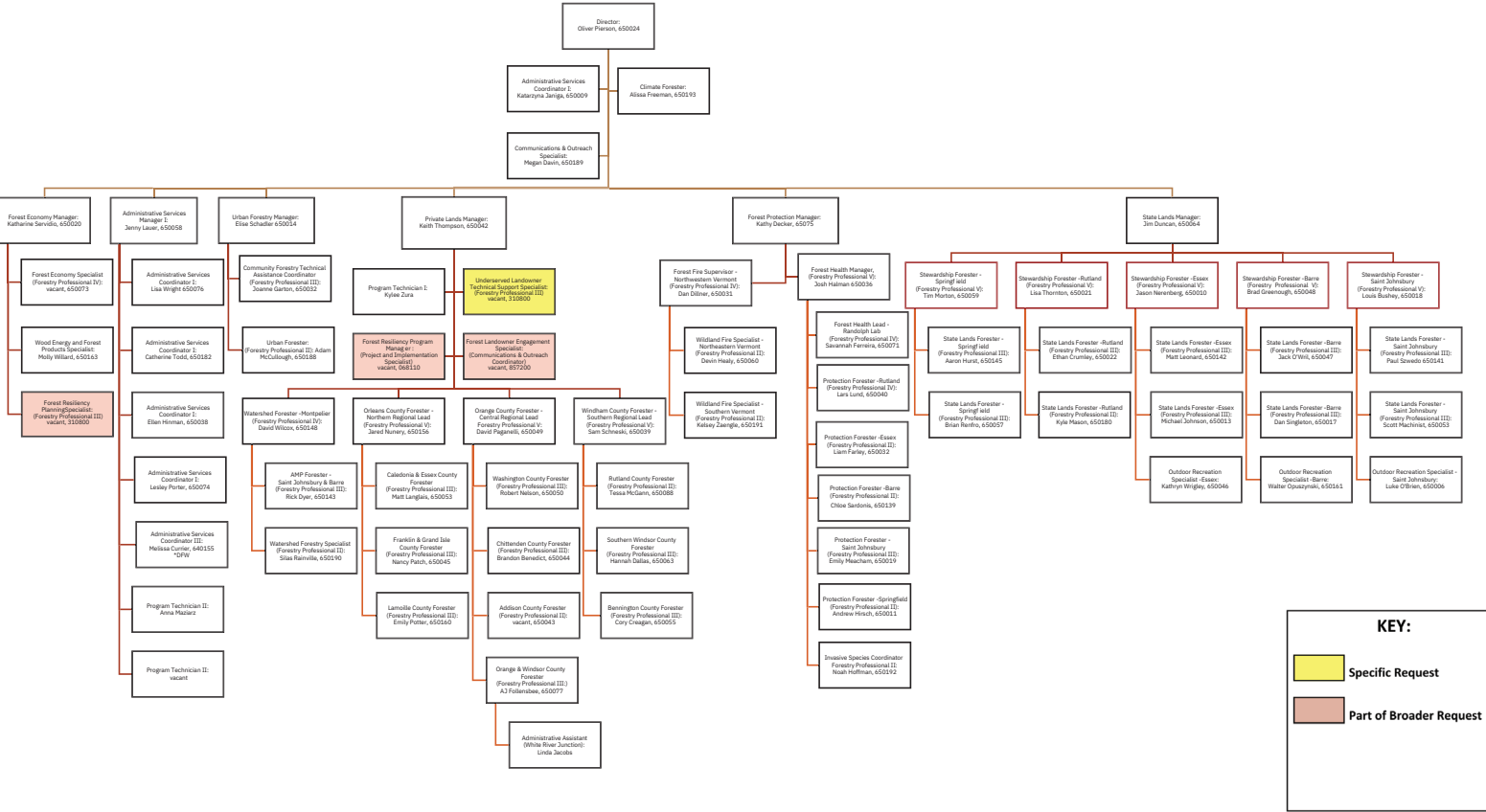
Vermont Division of Forests: Organizational Chart



KEY:

- Specific Request
- Part of Broader Request

Vermont Division of Forests: Organizational Chart



KEY:

- Specific Request
- Part of Broader Request

From: Lord, Leah - FS, DC <leah.lord@usda.gov>
Sent: Thursday, June 13, 2024 1:49 PM
To: Thompson, Keith <Keith.Thompson@vermont.gov>
Cc: Beringer, Peter - FS, NH <peter.beringer@usda.gov>; Smith, Nikola - FS, OR <nikola.smith@usda.gov>
Subject: RE: [External Email]Confirmation of Award - for position

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

We confirm that the U.S. Forest Service announced a \$5,000,000 award to the Vermont Department of Forests, Parks, and Recreation to support Growing Vermont's Forest Resilience. The Forest Service and the Department are in final negotiations related to project plans and documentation and assuming no issues arise, the intent is to execute the award as soon as possible this summer. Pre-award costs incurred after March 15, 2024, will be eligible for reimbursement after the award is executed.

Please let us know if you need something more official, and I will send by COB tomorrow.

Leah



Leah Lord
Program Manager
Forest Landowner Support, Cooperative Forestry
Forest Service
State, Private, and Tribal Forestry
c: +1-202-247-8524
leah.lord@usda.gov

www.fs.usda.gov



Caring for the land and serving people

State	Vermont	Data refreshed 6/4/2024							
Grantee & Grant Type	Agreement Number	Funding Source	Program	Status	Action	Cooperator Name	Project Title	Sum of Net Allocation	
Other Cooperators									
	Bundle 23DG11094 200412	FY22 Annual Appropriations	Cooperative Lands Forest Health	Executed	Complete	University Of Vermont & State Agricultural College	Shifting Fire Regimes and the Threat of Forest Conversion of Unique Fire-Dependent Forests on the Green Mountain National Forest	\$58,212	
	Bundle 23DG11094 200412	FY23 Annual Appropriations	Cooperative Lands Forest Health	Executed	Complete	University Of Vermont & State Agricultural College	Shifting Fire Regimes and the Threat of Forest Conversion of Unique Fire-Dependent Forests on the Green Mountain National Forest	\$43,500	
	Stand Alone 23DG11094 200427	FY23 Annual Appropriations	Wood Innovations	Executed	Complete	Kerwin Hill Farms	Sweetland Farms Agricultural Use of Low Grade Woody Biomass	\$243,525	
	Stand Alone 23DG11094 200475	FY23 Annual Appropriations	Community Forest Open Space	Executed	Complete	Town Of Monkton	Monkton Town Forest	\$400,000	
	Stand Alone 23DG11094 200491	FY23 Annual Appropriations	Community Forest Open Space	Executed	Complete	Town Of Wolcott	Wolcott Community Forest	\$580,000	
	Stand Alone TBA	FY22 IRA	Urban And Community Forestry	Missing Application	New	City Of Rutland	Rutland City Urban Tree Canopy Enhancement in Disadvantaged Areas	\$1,000,000	
	Stand Alone TBA	FY24 Annual Appropriations	Forest Resource Information Analysis	Missing Application	New	Vermont Woodlands Association	Conserving Working Family Forests	\$500,000	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	Missing Application	New	Greater Rockingham Area Services, Inc.	Greater Rockingham Area Services Biomass Boiler Project	\$230,359	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	Missing Application	New	Ryegate Associates	Ryegate Associates: Waste Heat to Useable Thermal Energy	\$1,000,000	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	TBA	New	Cersosimo Lumber Company, Inc.	Lumber Grade Optimization	\$300,000	
	Stand Alone TBA	FY24 Annual Appropriations	Wood Innovations	TBA	New	Vermont Renewable Gas, Llc	Vermont Renewable Gas – Lyndon	\$300,000	
	Stand Alone TBA	FY24 Annual Appropriations	Community Wood	Missing Application	New	Southwest Vt Supervisory Union	Southwest VT Supervisory Union Schools Renewable Energy Initiative: Biomass Boiler Systems for Sustainable Schools	\$710,930	
Other Cooperators Total								\$5,366,526	
State Cooperators (Including Third-Party Partners)									
	Bundle TBA	FY24 BIL	Invasive Species Capacity Funds	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Invasive Species Capacity Funds	\$32,143	
	Bundle TBA	FY24 BIL	Invasive Species High Priority Regional Projects	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Ecological and cultural conservation of black ash in Vermont	\$75,367	
	Stand Alone 23DG11094 200154	FY23 BIL	Invasive Species Capacity Funds	Executed	Complete	Department Of Forests Parks & Recreation Vermont	Increasing infrastructure for early detection of native and invasive forest pathogen DNA	\$30,000	
	Stand Alone 23DG11094 200416	FY23 Annual Appropriations	Forest Market	Executed	Complete	Department Of Forests Parks & Recreation Vermont	Vermont School Energy Systems	\$400,000	
	Stand Alone 24DG11094 200015	FY22 IRA	Legacy Admin	Executed	Complete	Department Of Forests Parks & Recreation Vermont	FLP Admin	\$372,000	
	Stand Alone TBA	FY22 IRA	Forest Landowner Support	Missing Application	New	Department Of Forests Parks & Recreation Vermont	Building Capacity to Assist Underserved Landowners	\$500,000	
	Stand Alone TBA	FY22 IRA	Legacy Acquisition	TBA	New	Department Of Forests Parks & Recreation Vermont	Monroe River	\$410,000	

**FEDERAL FINANCIAL ASSISTANCE
AWARD OF DOMESTIC GRANT 24-DG-11094200-015
Between The
DEPARTMENT OF FORESTS PARKS & RECREATION VERMONT
And The
USDA, FOREST SERVICE
EASTERN REGION, STATE, PRIVATE AND TRIBAL FORESTRY**

Project Title: INFLATION REDUCTION ACT VERMONT FOREST LEGACY
ADMINISTRATION

Upon execution of this document, an award to The Department of Forest Parks & Recreation Vermont, hereinafter referred to as “The Recipient,” in the amount of **\$372,000.00**, is made under the authority of Cooperative Forestry Assistance Act, P.L. 95-313 as amended, 16 USC 2103c and Public Law 117-169, Subtitle D, Section 23003(a)(1). The Federal Assistance Listing (formerly Catalog of Federal Domestic Assistance - CFDA) number and name are 10.734 Inflation Reduction Act-Forest Legacy Program. The Department of Forest Parks & Recreation Vermont accepts this award for the purpose described in the application narrative. Your application for Federal financial assistance, dated 12/28/2023, and the attached Forest Service provisions, ‘Forest Service Award Provisions,’ are incorporated into this letter and made a part of this award.

This authority requires a match of 25:75, Which is equal to \$125,000.00, which your organization has agreed to provide as shown in the attached application, financial plan and narrative.

- Investing in America Signage. In accordance with the Office of Management and Budget memorandum CA-23-6, the Cooperator shall be responsible to visibly post clear and prominent construction signs on any Bipartisan Infrastructure Law or Inflation Reduction Act funded project in the amount of \$250,000.00 or more. For any project less than \$250,000.00 or a non-construction project, the Cooperator is encouraged to display a poster and utilize any appropriate digital assets. Investing in America signs and posters must acknowledge the appropriation of which funding has been provided for the project. Specific sign and poster design criteria may be found in the USDA Style Guide.

Production of Investing in America signs shall result in reasonable and limited costs to the Cooperator. To maintain reasonable costs, the Cooperator is encouraged to use recycled or recovered materials when producing signs. In the event production of such signs and/or posters will result in unreasonable costs, expenses or burden to the Cooperator, production will not be required. The Cooperator shall provide documentation to the U.S. Forest Service of such unreasonable costs or burden.

This is an award of Federal financial assistance. Prime and sub-recipients to this award are subject to the OMB guidance in subparts A through F of 2 CFR Part 200 as adopted and



supplemented by the USDA in 2 CFR Part 400. Adoption by USDA of the OMB guidance in 2 CFR 400 gives regulatory effect to the OMB guidance in 2 CFR 200 where full text may be found.

Electronic copies of the CFRs can be obtained at the following internet site: www.ecfr.gov. If you are unable to retrieve these regulations electronically, please contact your Grants and Agreements Office at SM.FS.R9SPFgrants@usda.gov.

The following administrative provisions apply to this award:

- A. **LEGAL AUTHORITY**. The Recipient shall have the legal authority to enter into this award, and the institutional, managerial, and financial capability to ensure proper planning, management, and completion of the project, which includes funds sufficient to pay the non-Federal share of project costs, when applicable.
- B. **PRINCIPAL CONTACTS**. Individuals listed below are authorized to act in their respective areas for matters related to this award.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Name: Kate Sudhoff Address: One National Life Drive City, State, Zip: Montpelier VT, 05620 Telephone: 802-522-7028 Email: kate.sudhoff@vermont.gov	Name: Ansley Bloomer Address: One National Life Drive City, State, Zip: Montpelier VT, 05620 Telephone: 802-522-0730 Email: Ansley.Bloomer@vermont.gov

Principal Forest Service Contacts:

Forest Service Program Manager Contact	Forest Service Administrative Contact
Name: Neal Bungard Address: 271 Mast Road City, State, Zip: Durham, NH 03824 Telephone: 603-833-3287 Email: neal.bungard@usda.gov	Name: Adam Muscarella Address: 626 E Wisconsin Ave City, State, Zip: Milwaukee WI, 53202 Telephone: 906-235-4720 Email: adam.muscarella@usda.gov

- C. **SYSTEM FOR AWARD MANAGEMENT REGISTRATION REQUIREMENT (SAM)**. The Recipient shall maintain current organizational information and the original Unique Entity Identifier (UEI) provided for this agreement in the System for Award Management (SAM) until receipt of final payment. This requires annual review and updates, when needed, of organizational information after the initial registration. More frequent review and updates may be required for changes in organizational

information or agreement term(s). Any change to the original UEI provided in this agreement will result in termination of this agreement and de-obligation of any remaining funds. For purposes of this agreement, System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a Cooperative. Additional information about registration procedures may be found at the SAM Internet site at www.sam.gov.

D. ADVANCED AND REIMBURSABLE PAYMENTS – FINANCIAL ASSISTANCE.

Advanced and Reimbursable payments are approved under this award. Only costs for those project activities approved in (1) the initial award, or (2) modifications thereto, are allowable. Requests for payment must be submitted on Standard Form 270 (SF-270), Request for Advance or Reimbursement, and must be submitted no more than monthly. In order to approve a Request for Advance Payment or Reimbursement, the Forest Service shall review such requests to ensure advances or payments for reimbursement are in compliance and otherwise consistent with OMB, USDA, and Forest Service regulations.

Advance payments must not exceed the minimum amount needed or no more than is needed for a 30-day period, whichever is less. If the Recipient receives an advance payment and subsequently requests an advance or reimbursement payment, then the request must clearly demonstrate that the previously advanced funds have been fully expended before the Forest Service can approve the request for payment. Any funds advanced, but not spent, upon expiration of this award must be returned to the Forest Service.

The Program Manager reserves the right to request additional information prior to approving a payment. To expedite payment, please attach a list of expenses that match the approved project budget when submitting each SF-270. Each SF-270 shall include the award number 24-DG-11094200-015 in Block 4. **A final SF-270 must have a final performance report submitted prior to its approval.**

The invoice must be sent by one of three methods:	Send a copy to:
EMAIL (preferred): SM.FS.asc_ga@usda.gov	neal.bungard@usda.gov
FAX: 877-687-4894	
POSTAL: USDA Forester Service Budget & Finance - Grants and Agreements 4000 Masthead St, NE Albuquerque, NM 87109	

- E. INDIRECT COST RATES. The approved indirect cost rate at the time of execution is **23.94%** as shown in the NICRA provided by the Cooperator.


As new NICRAs are agreed to between The Recipient and their cognizant audit agency, the revised provisional or final rate(s) are automatically incorporated into this award, as appropriate, and must specify (1) the agreed upon rates, (2) the bases to which the rates apply, (3) the fiscal year for which the rates apply, and (4) the items treated as direct costs. The award obligation will not increase as a result of indirect cost rate increases. Updates to NICRAs will not affect the total funds available for this award unless documented in a formally executed modification.

If the NICRA is for a provisional rate, The Recipient shall be reimbursed at the established provisional rate(s), subject to appropriate adjustment when the final rate(s) for the fiscal year are established.

- F. PRIOR WRITTEN APPROVAL. The Recipient shall obtain prior written approval pursuant to conditions set forth in 2 CFR 200.407.
- G. MODIFICATIONS. Modifications within the scope of this award must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 90 days prior to implementation of the requested change. The Forest Service is not obligated to fund any changes not properly approved in advance.
- H. PERIOD OF PERFORMANCE. This agreement is executed as of the date of the Forest Service signatory official signature.

The end date, or expiration date is **12/31/2028**. This instrument may be extended by a properly executed modification. *See Modification Provision above.*

- I. AUTHORIZED REPRESENTATIVES. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this award. In witness whereof the parties hereto have executed this award.

DocuSigned by:
 _____ 2/8/2024
5BE1AA84753549F... Date

Vermont Department of Forest, Parks and Recreation

ROBERT LUECKEL, Deputy Regional Forester Date
Eastern Region, State, Private and Tribal Forestry

The authority and the format of this award have been reviewed and approved for signature.

ADAM MUSCARELLA  Digitally signed by ADAM MUSCARELLA
Date: 2024.02.08 10:47:55 -05'00'

ADAM MUSCARELLA Date
Forest Service Grants Management Specialist

ATTACHMENT A: FOREST SERVICE AWARD PROVISIONS

- A. COLLABORATIVE ARRANGEMENTS. Where permitted by terms of the award and Federal law, The Recipient may enter into collaborative arrangements with other organizations to jointly carry out activities with Forest Service funds available under this award.
- B. FOREST SERVICE LIABILITY TO THE RECIPIENT. The United States shall not be liable to The Recipient for any costs, damages, claims, liabilities, and judgments that arise in connection with the performance of work under this award, including damage to any property owned by The Recipient or any third party.
- C. NOTICES. Any notice given by the Forest Service or the Recipient will be sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the Forest Service Program Manager, at the address specified in the award.

To the Recipient, at the address shown in the award or such other address designated within the award.

Notices will be effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- D. SUBAWARDS. Prior approval is required to issue subawards under this grant. The intent to subaward must be identified in the approved budget and scope of work and approved in the initial award or through subsequent modifications. Approval of each individual subaward is not required, however the cooperator must document that each sub-recipient does NOT have active exclusions in the System for Award Management (sam.gov).

The Cooperator must also ensure that they have evaluated each subrecipient's risk in accordance with 2 CFR 200.332 (b).

Any subrecipient under this award must be notified that they are subject to the OMB guidance in subparts A through F of 2 CFR Part 200, as adopted and supplemented by the USDA in 2 CFR Part 400. Any sub-award must follow the regulations found in 2 CFR 200.331 through .333.

All subawards \$30,000 or more must be reported at fsrs.gov in compliance with 2 CFR 170. See Attachment B for full text.

- E. FINANCIAL STATUS REPORTING. A Federal Financial Report, Standard Form SF-425 (and Federal Financial Report Attachment, SF-425A, if required for reporting multiple awards), must be submitted annually. These reports are due 90 days after the reporting period ending December 31. The final SF-425 (and SF-425A, if applicable)

must be submitted either with the final payment request or no later than 120 days from the expiration date of the award. These forms may be found at <https://www.grants.gov/web/grants/forms.html>.

- F. PROGRAM PERFORMANCE REPORTS. The recipient shall perform all actions identified and funded in application/modification narratives within the performance period identified in award.

In accordance with 2 CFR 200.301, reports must relate financial data to performance accomplishments of the federal award.

The Recipient shall submit annual performance reports. These reports are due 90 days after the reporting period ending December 31. The final performance report shall be submitted either with the Recipient's final payment request, or separately, but not later than 120 days from the expiration date of the award.

- Additional pertinent information:

- a. All reports should be submitted before the due date to SM.FS.R9SPFgrants@usda.gov to prevent payment delays. Please include the report name and full award number.
- b. The final performance report must be submitted and approved prior to approval of the final SF-270 payment request.

- G. NOTIFICATION. The Recipient shall immediately notify the Forest Service of developments that have a significant impact on the activities supported under this award. Also, notification must be given in case of problems, delays or adverse conditions that materially impair the ability to meet the objectives of the award. This notification must include a statement of the action taken or contemplated, and any assistance needed to resolve the situation.

- H. CHANGES IN KEY PERSONNEL. Any revision to key personnel identified in this award requires notification of the Forest Service Program Manager by email or letter.

- I. USE OF FOREST SERVICE INSIGNIA. In order for The Recipient to use the Forest Service insignia on any published media, such as a Web page, printed publication, or audiovisual production, permission must be granted by the Forest Service's Office of Communications (Washington Office). A written request will be submitted by Forest Service, Program Manager, to the Office of Communications Assistant Director, Visual Information and Publishing Services prior to use of the insignia. The Forest Service Program Manager will notify The Recipient when permission is granted.

- J. FUNDING EQUIPMENT. Federal funding under this award is not available for reimbursement of the Recipient's purchase of equipment. Equipment is defined as having a fair market value of \$5,000 or more per unit and a useful life of over one year. Supplies are those items that are not equipment.

- K. PUBLIC NOTICES. It is Forest Service's policy to inform the public as fully as possible of its programs and activities. The Recipient is encouraged to give public notice of the receipt of this award and, from time to time, to announce progress and accomplishments.

The Recipient may call on Forest Service's Office of Communication for advice regarding public notices. The Recipient is requested to provide copies of notices or announcements to the Forest Service Program Manager and to Forest Service's Office Communications as far in advance of release as possible.

- L. FOREST SERVICE ACKNOWLEDGED IN PUBLICATIONS, AUDIOVISUALS, AND ELECTRONIC MEDIA. The Recipient shall acknowledge Forest Service support in any publications, audiovisuals, and electronic media developed as a result of this award. Follow direction in USDA Supplemental 2 CFR 415.2.

- M. COPYRIGHTING. The Recipient is/are granted sole and exclusive right to copyright any publications developed as a result of this award. This includes the right to publish and vend throughout the world in any language and in all media and forms, in whole or in part, for the full term of copyright and all renewals thereof in accordance with this award.

No original text or graphics produced and submitted by the Forest Service shall be copyrighted. The Forest Service reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use, and to authorize others to use the work for federal government purposes.

This right shall be transferred to any sub-awards or subcontracts.

This provision includes:

- The copyright in any work developed by the Recipient under this award.
- Any right of copyright to which the Recipient purchase(s) ownership with any federal contributions.

- N. NONDISCRIMINATION STATEMENT – PRINTED, ELECTRONIC, OR AUDIOVISUAL MATERIAL. The Recipient shall include the following statement, in full, in any printed, audiovisual material, or electronic media for public distribution developed or printed with any Federal funding.

In accordance with Federal law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, disability, and reprisal or retaliation for prior civil rights activity. (Not all prohibited bases apply to all programs.)

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, and American Sign Language) should contact the responsible State or local Agency that administers

the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at <https://www.ocio.usda.gov/document/ad-3027>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

- (1) Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Washington, D.C. 20250-9410; o*
- (2) Fax: (833) 256-1665 or (202) 690-7442; or*
- (3) Email: program.intake@usda.gov.*

If the material is too small to permit the full Non-Discrimination Statement to be included, the material will, at a minimum, include the alternative statement:

"This institution is an equal opportunity provider."

- O. DISPUTES. In the event of any issue of controversy under this agreement, the parties may pursue Alternate Dispute Resolution (ADR) procedures to voluntarily resolve those issues. These procedures may include, but are not limited to conciliation, facilitation, mediation, and fact finding.

Should the parties be unable to resolve the issue of controversy through ADR, then the Signatory Official will make the decision. A written copy of the decision will be provided to the Cooperator.

Decisions of the Signatory Official shall be final unless, within 30 days of receipt of the decision of the Signatory Official, the Cooperator appeals the decision to the Forest Service's Deputy Chief, State, Private, and Tribal Forestry (SPTF). Any appeal made under this provision shall be in writing and addressed to the Deputy Chief, SPTF, USDA, Forest Service, Washington, DC 20024. A copy of the appeal shall be concurrently furnished to the Signatory Official.

A decision under this provision by the Deputy Chief, SPTF, is final. The final decision by the Deputy Chief, SPTF, does not preclude the Cooperator from pursuing remedies available under the law.

- P. AWARD CLOSEOUT. The Recipient must submit, no later than 120 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award.

Any unobligated balance of cash advanced to The Recipient must be immediately refunded to the Forest Service, including any interest earned in accordance with 2 CFR

200.344(d).

If this award is closed without audit, the Forest Service reserves the right to disallow and recover an appropriate amount after fully considering any recommended disallowances resulting from an audit which may be conducted later.

- Q. TERMINATION. This award may be terminated, in whole or part pursuant to 2 CFR 200.340.
- R. DEBARMENT AND SUSPENSION. The Recipient shall immediately inform the Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should the Recipient or any of their principals receive a transmittal letter or other official federal notice of debarment or suspension, then they shall notify the Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary. The Recipient shall adhere to 2 CFR Part 180 Subpart C in regards to review of sub-recipients or contracts for debarment and suspension.

All subrecipients and contractors must complete the form AD-1048, Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, Lower Tier Covered Transactions. Blank forms are available electronically. Completed forms must be kept on file with the primary recipient.

- S. MEMBERS OF CONGRESS. Pursuant to 41 U.S.C. 22, no member of, or delegate to, Congress shall be admitted to any share or part of this award, or benefits that may arise therefrom, either directly or indirectly.
- T. SCIENTIFIC INTEGRITY: USDA is committed to the highest levels of integrity in all of our scientific activities and decision making. This includes to performing, recording and reporting the results of scientific activities with honesty, objectivity, and transparency. All persons performing under this agreement shall adhere to the principles of scientific integrity described in [Departmental Regulation \(DR\) 1074-001](#).
- U. GEOSPATIAL DATA. All data collected will meet the requirements of the Geospatial Data Act of 2018 where applicable. This will always include the documentation of all relevant metadata standards, use of standard data formats; description of quantitative measures of uncertainty and source of uncertainty and sources of uncertainty associated with the data. Additionally, the data must meet specific standards specified elsewhere to ensure the data is useful to support the USDA's mission. The recipient/cooperator agrees to comply with USDA's Department-wide enterprise geospatial data management policy implemented in [Departmental Regulation 3465-001](#) which establishes the USDA policy for defining the strategic direction necessary to optimize the management of the USDA geospatial data and geospatial infrastructure, including all geospatial data created for, by, and enhanced by USDA.

V. PUBLIC ACCESS TO SCHOLARLY PUBLICATIONS AND DIGITAL SCIENTIFIC RESEARCH DATA. The recipient agrees to comply with USDA's Department-wide [public access policy](#) implemented in [Departmental Regulation 1020-006](#) which establishes the USDA policy for public access to scholarly publications and digital scientific research data assets. The USDA will make all peer-reviewed, scholarly publications and digital scientific research data assets arising from unclassified scientific research supported wholly or in part by the USDA accessible to the public, to the extent practicable.

W. BUY AMERICA BUILD AMERICA. Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for an infrastructure project unless:

(1) All iron and steel used in the project are produced in the United States—this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;

(2) All manufactured products used in the project are produced in the United States— this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard that meets or exceeds this standard has been established under applicable law or regulation for determining the minimum amount of domestic content of the manufactured product; and

(3) All construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. The construction material standards are listed below.

Incorporation into an infrastructure project. The Buy America Preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America Preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project, but are not an integral part of the structure or permanently affixed to the infrastructure project.

Categorization of articles, materials, and supplies. An article, material, or supply should only be classified into one of the following categories: (i) Iron or steel products; (ii)

Manufactured products; (iii) Construction materials; or (iv) Section 70917(c) materials. An article, material, or supply should not be considered to fall into multiple categories. In some cases, an article, material, or supply may not fall under any of the categories listed in this paragraph. The classification of an article, material, or supply as falling into one of the categories listed in this paragraph must be made based on its status at the time it is brought to the work site for incorporation into an infrastructure project. In general, the work site is the location of the infrastructure project at which the iron, steel, manufactured products, and construction materials will be incorporated.

Application of the Buy America Preference by category. An article, material, or supply incorporated into an infrastructure project must meet the Buy America Preference for only the single category in which it is classified.

Determining the cost of components for manufactured products. In determining whether the cost of components for manufactured products is greater than 55 percent of the total cost of all components, use the following instructions:

- (a) For components purchased by the manufacturer, the acquisition cost, including transportation costs to the place of incorporation into the manufactured product (whether or not such costs are paid to a domestic firm), and any applicable duty (whether or not a duty-free entry certificate is issued); or
- (b) For components manufactured by the manufacturer, all costs associated with the manufacture of the component, including transportation costs as described in paragraph (a), plus allocable overhead costs, but excluding profit. Cost of components does not include any costs associated with the manufacture of the manufactured product.

Construction material standards. The Buy America Preference applies to the following construction materials incorporated into infrastructure projects. Each construction material is followed by a standard for the material to be considered “produced in the United States.” Except as specifically provided, only a single standard should be applied to a single construction material.

- (1) Non-ferrous metals. All manufacturing processes, from initial smelting or melting through final shaping, coating, and assembly, occurred in the United States.
- (2) Plastic and polymer-based products. All manufacturing processes, from initial combination of constituent plastic or polymer-based inputs, or, where applicable, constituent composite materials, until the item is in its final form, occurred in the United States.

(3) Glass. All manufacturing processes, from initial batching and melting of raw materials through annealing, cooling, and cutting, occurred in the United States.

(4) Fiber optic cable (including drop cable). All manufacturing processes, from the initial ribboning (if applicable), through buffering, fiber stranding and jacketing, occurred in the United States. All manufacturing processes also include the standards for glass and optical fiber, but not for non-ferrous metals, plastic and polymer-based products, or any others.

(5) Optical fiber. All manufacturing processes, from the initial preform fabrication stage through the completion of the draw, occurred in the United States.

(6) Lumber. All manufacturing processes, from initial debarking through treatment and planning, occurred in the United States.

(7) Drywall. All manufacturing processes, from initial blending of mined or synthetic gypsum plaster and additives through cutting and drying of sandwiched panels, occurred in the United States.

(8) Engineered wood. All manufacturing processes from the initial combination of constituent materials until the wood product is in its final form, occurred in the United States.

Waivers. When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. The agency should notify the recipient for information on the process for requesting a waiver from these requirements.

When the Federal agency has made a determination that one of the following exceptions applies, the awarding official may waive the application of the Buy America Preference in any case in which the agency determines that:

- (1) applying the Buy America Preference would be inconsistent with the public interest;
- (2) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or

- (3) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the Buy America Preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described at [USDA Buy America Waivers for Federal Financial Assistance | USDA](#).

Definitions

“Buy America Preference” means the “domestic content procurement preference” set forth in section 70914 of the Build America, Buy America Act, which requires the head of each Federal agency to ensure that none of the funds made available for a Federal award for an infrastructure project may be obligated unless all of the iron, steel, manufactured products, and construction materials incorporated into the project are produced in the United States.

“Construction materials” means articles, materials, or supplies that consist of only one of the items listed in paragraph (1) of this definition, except as provided in paragraph (2) of this definition. To the extent one of the items listed in paragraph (1) contains as inputs other items listed in paragraph (1), it is nonetheless a construction material.

(1) The listed items are:

- (i) Non-ferrous metals;
- (ii) Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- (iii) Glass (including optic glass);
- (iv) Fiber optic cable (including drop cable);
- (v) Optical fiber;
- (vi) Lumber;
- (vii) Engineered wood; and
- (viii) Drywall.

(2) Minor additions of articles, materials, supplies, or binding agents to a construction material do not change the categorization of the construction material.

“Infrastructure” means public infrastructure projects in the United States, which includes, at a minimum, the structures, facilities, and equipment for roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property; and structures, facilities, and equipment that generate, transport, and distribute energy including electric vehicle (EV) charging.

“Infrastructure project” means any activity related to the construction, alteration, maintenance, or repair of infrastructure in the United States regardless of whether infrastructure is the primary purpose of the project. See also paragraphs (c) and (d) of 2 CFR 184.4.

“Iron or steel products” means articles, materials, or supplies that consist wholly or predominantly of iron or steel or a combination of both.

X. TRAFFICKING IN PERSONS.

1. Provisions applicable to a Recipient that is a private entity.
 - a. You as the Recipient, your employees, Subrecipients under this award, and Subrecipients’ employees may not:
 - (1) Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - (2) Procure a commercial sex act during the period of time that the award is in effect; or
 - (3) Use forced labor in the performance of the award or subawards under the award.
 - b. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a Subrecipient that is a private entity:
 - (1) Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - (2) Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either:
 - i. Associated with performance under this award; or
 - ii. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement),”.
2. Provision applicable to a Recipient other than a private entity. We as the Federal

awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity:

- a. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
 - b. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
 - (1) Associated with performance under this award; or
 - (2) Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),”
3. Provisions applicable to any recipient.
- a. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
 - b. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - (1) Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - (2) Is in addition to all other remedies for noncompliance that are available to us under this award.
 - c. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
4. Definitions. For purposes of this award term:
- a. “Employee” means either:
 - (1) An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - (2) Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
 - b. “Forced labor” means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 - c. “Private entity”:
 - (1) Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
 - (2) Includes:
 - i. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - ii. A for-profit organization.
 - d. “Severe forms of trafficking in persons,” “commercial sex act,” and

“coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

Y. DRUG-FREE WORKPLACE.

1. The Recipient agree(s) that it will publish a drug-free workplace statement and provide a copy to each employee who will be engaged in the performance of any project/program that receives federal funding. The statement must
 - a. Tell the employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace;
 - b. Specify the actions the Recipient will take against employees for violating that prohibition; and
 - c. Let each employee know that, as a condition of employment under any award, the employee:
 - (1) Shall abide by the terms of the statement, and
 - (2) Shall notify The Recipient in writing if they are convicted for a violation of a criminal drug statute occurring in the workplace, and shall do so no more than 5 calendar days after the conviction.
2. The Recipient agree(s) that it will establish an ongoing drug-free awareness program to inform employees about
 - a. The dangers of drug abuse in the workplace;
 - b. The established policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation and employee assistance programs; and
 - d. The penalties that you may impose upon them for drug abuse violations occurring in the workplace.
3. Without the Program Manager’s expressed written approval, the policy statement and program must be in place as soon as possible, no later than the 30 days after the effective date of this instrument, or the completion date of this award, whichever occurs first.
4. The Recipient agrees to immediately notify the Program Manager if an employee is convicted of a drug violation in the workplace. The notification must be in writing, identify the employee’s position title, the award number of each award on which the employee worked. The notification must be sent to the Program Manager within 10 calendar days after The Recipient learns of the conviction.
5. Within 30 calendar days of learning about an employee’s conviction, the Recipient must either
 - a. Take appropriate personnel action against the employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 (29 USC 794), as amended, or
 - b. Require the employee to participate satisfactorily in a drug abuse assistance or

rehabilitation program approved for these purposes by a Federal, State or local health, law enforcement, or other appropriate agency.

Z. PROHIBITION AGAINST USING FUNDS WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS.

1. The recipient may not require its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting them from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
2. The recipient must notify its employees, contractors, or subrecipients that the prohibitions and restrictions of any internal confidentiality agreements inconsistent with paragraph (1) of this award provision are no longer in effect.
3. The prohibition in paragraph (1) of this award provision does not contravene requirements applicable to any other form issued by a Federal department or agency governing the nondisclosure of classified information.
4. If the Government determines that the recipient is not in compliance with this award provision, it;
 - a. Will prohibit the recipient's use of funds under this award in accordance with sections 743, 744 of Division E of the Consolidated Appropriations Act, 2016, (Pub. L. 114-113) or any successor provision of law; and
 - b. May pursue other remedies available for the recipient's material failure to comply with award terms and conditions.

AA. ELIGIBLE WORKERS. The Recipient shall ensure that all employees complete the I-9 form to certify that they are eligible for lawful employment under the Immigration and Nationality Act (8 U.S.C. 1324(a)). The Recipient shall comply with regulations regarding certification and retention of the completed forms. These requirements also apply to any contract or supplemental instruments awarded under this award.

BB. FREEDOM OF INFORMATION ACT (FOIA). Public access to award or agreement records must not be limited, except when such records must be kept confidential and would have been exempted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552). Requests for research data are subject to 2 CFR 315(e).

Public access to culturally sensitive data and information of Federally-recognized Tribes may also be explicitly limited by P.L. 110-234, Title VIII Subtitle B §8106 (2009 Farm Bill).

CC. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving

any vehicle at any time. All Cooperators, their Employees, Volunteers, and Contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the Government.

DD. PROMOTING FREE SPEECH AND RELIGIOUS FREEDOM. As a recipient of USDA financial assistance, you will comply with the following:

1. Do not discriminate against applicants for sub-grants on the basis of their religious character.
2. 7 Code of Federal Regulations (CFR) part 16.3(a), Rights of Religious Organizations.
3. Statutory and National policy requirements, including those prohibiting discrimination and those described in Executive Order 13798 promoting free speech and religious freedom, 2 CFR 200.300.

EE. PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT. The cooperator (including subrecipients) is responsible for compliance with the prohibition on certain telecommunications and video surveillance services or equipment identified in 2 CFR 200.216. See Public Law 115-232, Section 889 for additional information.

In accordance with 2 CFR 200.216, the grantee (including subrecipients) is prohibited from obligating or expending loan or grant funds for covered telecommunications equipment or services to:

- (1) procure or obtain, extend or renew a contract to procure or obtain;
- (2) enter into a contract (or extend or renew a contract) to procure; or
- (3) obtain the equipment, services or systems.

FF. DAVIS BACON WAGES FOR CONSTRUCTION. Following the requirement in Section 41101 of the Bipartisan Infrastructure Law, P.L. 117-58, Davis-Bacon wage rates must be applied for all laborers and mechanics employed by contractors or subcontractors in the performance of construction, alteration, or repair work on a project assisted in whole or in part by funding made available under this Act. Laborers and mechanics shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the “Davis-Bacon Act”).

ATTACHMENT B: 2 CFR PART 170

Appendix A to Part 170—Award Term

I. Reporting Subawards and Executive Compensation

a. *Reporting of first-tier subawards.*

1. *Applicability.* Unless you are exempt as provided in paragraph d. of this award term, you must report each action that equals or exceeds \$30,000 in Federal funds for a subaward to a non-Federal entity or Federal agency (see definitions in paragraph e. of this award term).
2. *Where and when to report.*
 - i. The non-Federal entity or Federal agency must report each obligating action described in paragraph a.1. of this award term to <http://www.fsrs.gov>.
 - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. *What to report.* You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.

b. *Reporting total compensation of recipient executives for non-Federal entities.*

1. *Applicability and what to report.* You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—
 - i. The total Federal funding authorized to date under this Federal award equals or exceeds \$30,000 as defined in 2 CFR 170.320;
 - ii. in the preceding fiscal year, you received—
 - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards), and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and,
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execom.htm>.)
2. *Where and when to report.* You must report executive total compensation described in paragraph b.1. of this award term:
 - i. As part of your registration profile at <https://www.sam.gov>.
 - ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. *Reporting of Total Compensation of Subrecipient Executives.*

1. *Applicability and what to report.* Unless you are exempt as provided in paragraph d. of this award term, for each first-tier non-Federal entity subrecipient under this award, you

shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

- i. in the subrecipient's preceding fiscal year, the subrecipient received—
 - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards) and,
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. *Where and when to report.* You must report subrecipient executive total compensation described in paragraph c.1. of this award term:
- i. To the recipient.
 - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (*i.e.*, between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.
- d. *Exemptions.*
If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:
- i. Subawards, and
 - ii. The total compensation of the five most highly compensated executives of any subrecipient.
- e. *Definitions.* For purposes of this award term:
1. Federal Agency means a Federal agency as defined at 5 U.S.C. 551(1) and further clarified by 5 U.S.C. 552(f).
 2. Non-Federal *entity* means all of the following, as defined in 2 CFR part 25:
 - i. A Governmental organization, which is a State, local government, or Indian tribe;
 - ii. A foreign public entity;
 - iii. A domestic or foreign nonprofit organization; and,
 - iv. A domestic or foreign for-profit organization
 3. *Executive* means officers, managing partners, or any other employees in management positions.
 4. *Subaward:*
 - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 CFR 200.331).
 - iii. A subaward may be provided through any legal agreement, including an agreement

- that you or a subrecipient considers a contract.
5. *Subrecipient* means a non-Federal entity or Federal agency that:
 - i. Receives a subaward from you (the recipient) under this award; and
 - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
 6. *Total compensation* means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)).

END OF ATTACHMENT B: 2 CFR PART 170

ATTACHMENT C: WHISTLEBLOWER NOTICE

Whistleblowers perform an important service to USDA and the public when they come forward with what they reasonably believe to be evidence of wrongdoing. They should never be subject to reprisal for doing so. Federal law protects federal employees as well as personal services contractors and employees of Federal contractors, subcontractors, grantees, and subgrantees against reprisal for whistleblowing. USDA bears the responsibility to ensure that nothing in a non-disclosure agreement which a contractor, subcontractor, grantee, or subgrantee requires their employees to sign should be interpreted as limiting their ability to provide information to the Office of Inspector General (OIG).

41 U.S.C. § 4712 requires the head of each executive agency to ensure that its contractors inform their workers in writing of the rights and remedies under the statute. Accordingly, it is illegal for a personal services contractor or an employee of a Federal contractor, subcontractor, grantee, or subgrantee to be discharged, demoted, or otherwise discriminated against for making a protected whistleblower disclosure. In this context, these categories of individuals are whistleblowers who disclose information that the individual reasonably believes is evidence of one of the following:

- Gross mismanagement of a Federal contract or grant;
- A gross waste of Federal funds;
- An abuse of authority relating to a Federal contract or grant;
- A substantial and specific danger to public health or safety; or
- A violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

To be protected under 41 U.S.C. § 4712, the disclosure must be made to one of the following:

- A Member of Congress, or a representative of a committee of Congress;
- The OIG;
- The Government Accountability Office (GAO);
- A Federal employee responsible for contract or grant oversight or management at USDA;
- An otherwise authorized official at USDA or other law enforcement agency;
- A court or grand jury; or
- A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

Under 41 U.S.C. § 4712, personal services contractors as well as employees of contractors, subcontractors, grantees, or subgrantees may file a complaint with OIG, who will investigate the matter unless they determine that the complaint is frivolous, fails to allege a violation of the prohibition against whistleblower reprisal, or has been addressed in another proceeding. OIG's investigation is then presented to the head of the executive agency who evaluates the facts of the investigation and can order the contractor, subcontractor, grantee, or subgrantee

to take remedial action, such as reinstatement or back pay.

Federal Acquisition Regulation (FAR) Subpart 3.903, *Whistleblower Protections for Contractor Employees, Policy*, prohibits government contractors from retaliating against a contract worker for making a protected disclosure related to the contract. FAR Subpart 3.909-1 prohibits the Government from using funds for a contract with an entity that requires its employees or subcontractors to sign internal confidentiality statements prohibiting or restricting disclosures of fraud, waste, or abuse to designated persons. This prohibition does not contravene agreements pertaining to classified information. The regulation also requires contracting officers to insert FAR clause 52.203-17, *Contractor Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights*, in all solicitations and contracts that exceed the Simplified Acquisition Threshold as defined in FAR Subpart 3.908. This clause requires notification to contractor employees that they are subject to the whistleblower rights and remedies referenced in 41 U.S.C. § 4712.

In order to make a complaint alleging any of the violations mentioned above, one should complete the OIG Hotline form located at: <https://www.usda.gov/oig/hotline>. For additional information, they may also visit the WPC's webpage at: <https://www.usda.gov/oig/wpc> or they may directly contact the WPC at OIGWPC@oig.usda.gov.



Forest Service
U.S. DEPARTMENT OF AGRICULTURE

U.S. Forest Service, Eastern Region, State, Private, and Tribal Forestry Program Guidance for Grantees June 6, 2024

The purpose of this document is to outline the expectations and requirements for Federal financial assistance through the U.S. Department of Agriculture, Forest Service, Eastern Region (R9) State, Private, and Tribal Forestry (SPTF), including for annual appropriated funds; the Infrastructure and Investment Jobs Act (Public Law 117-58) funding, referred to as the Bipartisan Infrastructure Law (BIL); and the Inflation Reduction Act (IRA) (Public Law 117-169) programs. When this document is updated, the latest version will be posted on the [R9 Grants Administration and Management web page](#) (in the Quick Links box on the right, select “Program and Funding Guidance for Grantees”), replacing the prior version.

For additional grant management requirements and process information, refer to the [Grant Tips Guide on the R9 Grants Administration and Management web page](#).

Key Changes Since the September 2023 Version:

- Complete grant applications are due to the G&A inbox (SM.FS.R9SPFgrants@usda.gov) 30 days after the funding availability is published on the [State Allocation Sheets](#).
- Updated guidance for BIL State Forest Action Plan (SFAP) funding: Starting in FY 2024, there is only one budget line item for BIL SFAP funding; SIAP. See the [BIL SFAP section](#).
- Third-party (formerly “pass through”) requests must have a minimum amount of \$25,000 and are due no later than June 20, 2024.
- Added Appendix III with requirements and guidance for communications and public relations.

Table of Contents

Click below to Navigate to a Section

USDA Forest Service Eastern Region SPTF Contacts 2

Summary of SPTF Competitive Grant Programs..... 4

Part I. Guidance for Annual Appropriated Programs..... 7

Part II. Guidance for Bipartisan Infrastructure Law Programs 42

Part III. Guidance for Inflation Reduction Act Programs 60

Appendix I. Glossary..... 67

Appendix II. Quarterly Reporting for BIL Grants 68

Appendix III. Communications and Public Relations 71

Guidance for Annual Appropriated Programs

[\(NICE\)](#) by October 15 each year. Examples of reportable accomplishments include invasive species detection and monitoring projects that engage youth and families or helping teachers or students with understanding forest insects and disease. Consult the User's Manual on the NICE home page for instructions. You can create reports throughout the FY and can group like events in one report.

Emergency Forest Restoration Program (FAL 10.678)

Authority and Allocation

Funding for the Emergency Forest Restoration Program (EFRP) is allocated to the USDA Farm Service Agency (FSA). Program funding from FSA is made available to the Forest Service for reimbursement for technical assistance in the administration of EFRP provided by the State forestry agency or its designee. As a disaster recovery program, EFRP is utilized on an as needed basis. As such, funding is episodic, and amounts vary with the size of the incident. The allocation per incident is based on 8 percent of the total landowner assistance funding provided for disaster recovery.

The Forest Service helps deliver these funds because of its strong relationships with State forestry agencies and ability to provide funds to them for technical assistance. Forest Stewardship Program authorities (FAL 10.678) are exercised to perform this. Further guidance is described in a Service Level Agreement Between the Forest Service and FSA.

Direction

As requested by FSA, the Forest Service provides Domestic Grants or Fixed Amount Awards (grants) for technical assistance to State Forestry Agencies or designees for assistance to owners of nonindustrial private forest land to carry out emergency measures and conservation practices to restore the land and forest resources damaged by a natural disaster. The grants allow State forestry agencies to work directly or to perform the work through formal arrangements with qualified private sector technical assistance providers. Work with the [Regional Forest Stewardship Program Manager](#) to engage with the Forest Service on this program.

Reporting

Landowner assistance provided through the administration of EFRP is reportable as accomplishments as appropriate through Forest Stewardship Program reporting. EFRP grants are subject to both annual and final progress and financial reporting.

Forest Legacy Program (FLP) (FAL 10.676)

Allocation

There are currently two funding sources for the Forest Legacy Program; the annual funding from the Land and Water Conservation Fund (LWCF) allocated by Congress and funding that has been made available through the passage of the Inflation Reduction Act (IRA). As a result, there are now two separate annual application cycles for LWCF and IRA funding. Forest Legacy Program (FLP) LWCF funding allocation to the States includes project and administrative funds. [See the IRA FLP program section.](#)

Land Acquisition Project funds are for the acquisition of lands or interests in lands that are identified in specific projects. The priority list of projects is decided by congressional appropriations committees based on advice from the National Review Panel. Funds for some projects could be derived from prior year appropriations, as required by Congress. Project funds can include and be used for directly

Guidance for Annual Appropriated Programs

associated acquisition activities for the tracts. FLP projects ascertain and protect environmentally important forest areas that are threatened by conversion to non-forest uses. Funds for each FLP project must be requested in a separate Forest Legacy project grant application. Federal FLP project funds cannot fund monitoring, management, or enforcement activities.

Administrative funds are allocated by specific State needs to be used for day-to-day State FLP administration. These funds may be used for project acquisition activities, such as title searches, appraisals, easement drafting, negotiations, and other related work to make the highest priority State projects ready for future-year funding. This will help the States respond to the National Priority List criterion on readiness. Additionally, administrative funds can be used to promote, manage, evaluate, and update a State's FLP. Administrative funds may also be used to purchase supplies to facilitate the transition to a digital document handling system. FLP administrative funds must be requested in a separate Forest Legacy administrative grant application. Federal FLP administrative funds cannot fund monitoring, management, or enforcement activities. State Foresters may elect to participate in the travel program through the Forest Service and NMSFA arrangement with West Virginia University, lowering their final administrative allocation by the amount requested for travel. Travel is strictly limited to travel that directly supports FLP (such as NMSFA committee meetings, official Forest Service meetings such National Review Panel, or National FLP meeting, or LTA rally).

Direction

For FLP projects funded through annual appropriations, only those projects approved by congressional appropriations committees may be funded through the FLP. This does not apply to IRA funded FLP projects as those funds have already been appropriated ([see page 65](#)). FLP projects are selected based on three core criteria: (1) environmental importance of the property; (2) threat of conversion to a non-forest; and (3) strategic position on the landscape and connection with other protected lands.

Approval from the State Forest Stewardship Coordinating Committee (SFSCC) is required for changes in specific project activities, including approving tracts where specific tracts have not been identified within a project. Please notify Kirston Buczak (414-559-9239, kirston.buczak@usda.gov) FLP Program Manager if a project changes from the description in the grant agreement. The FLP Program Manager will look for project change approval by the SFSCC prior to reviewing changes in the project. Excess project funds and funds from failed projects will be returned to the USDA Forest Service for national distribution. The grant agreements will provide direction related to appraisal format and instructions, as well as negotiation instructions to address FLP conservation easement drafting. Information regarding FLP can be found in the [Forest Legacy Program Implementation Guidelines](#).

Cost Share Requirements

All FLP grants require a 25 percent non-Federal cost share, with the FLP funds contributing no more than 75 percent of the project costs. The cost share can be cash, in-kind services, and/or donation of land or interest in land.

Accomplishment Reporting Requirements

- **Annual status reports** on each open Forest Legacy grant uploaded in Forest Service grant monitoring system by no later than **March 31** each year.
- **The Forest Legacy Information System (FLIS)** must be updated by the **States within 10 days of the information changing** so that there is current data for periodic reports to respond to Congressional and Agency requests. All FY accomplishments must be updated by **October 16, 2024**. FLIS is an online accessible database, housed on the [National Information Center \(NIC\) website](#), that is used for many purposes in the FLP. FLIS is accessed with a unique user name

Guidance for Annual Appropriated Programs

adjust for plans that have not yet been entered into SMART (including NRCS-funded plans not yet in SMART). Measures 14 through 17 (listed above) are not captured from the SMART and must be entered by the State into SMARTar. R9 SPTF FSP program managers are responsible for reviewing data entered by States for accuracy in representing annual FSP accomplishments.

Forest Stewardship Plans: For the purposes of calculating the Federal accomplishment metrics and Forest Stewardship Program allocation formula, forest stewardship plans must have spatial data for the plan boundary that is entered into the SMART database. These spatial data allow plans to be located within or outside the State's designated Federal investment area and to be selected for monitoring.

SMART and Plan Monitoring: Additional guidance on FSP outcome-based monitoring and reporting is provided in the *FSP Standards and Guidelines*. Plan monitoring shall be completed by **September 30** each year.

State Success Story: In addition to the program accomplishment measures included above, we encourage each State to submit a success story to demonstrate program impacts on conservation outcomes for inclusion in the FSP newsletter.

State Program Highlights: We encourage States to submit a 2-3 sentence highlight of program activities for inclusion in the State Fact Sheets. State Facts Sheets are an important tool for communicating with legislators and others. Program highlights for State Fact Sheets are due **January 1** each year.

FSP Federal Investment Areas Data: Additional guidance about FSP prioritization of lands is provided in the *FSP Standards and Guidelines*. The submission window for updating Forest Stewardship Federal Investment Areas is open annually during the month of March. If States determine that updates are needed, they must submit a revised raster dataset to the USDA Forest Service, FSP by no later than **March 31**. The USDA Forest Service has an external Box collaboration folder for the receipt of updated Federal Investment Areas datasets from States. To access this Box folder, contact Peter Bedker (peter.j.bedker@usda.gov) and include names, email addresses, and phone numbers for the individuals who need access. Please allow two business days for these access requests to be serviced.

Grant Narratives

Grant narratives for FSP, Conservation Education (where appropriate), and RNGR are to be combined in one proposal, and are expected to include targets for **all required accomplishment data for the FY**. If States expect no accomplishments for those elements, zero is the appropriate target. States with active seedling nursery programs should provide targets in the grant narrative for numbers of seedlings produced, acres of seed orchard/seed production area maintained, and amount of improved/source-identified seed collected, or an appropriate combination of these. The generic Grant Narrative template can be found in the [R9 Grants Narrative Formats folder](#).

Any efforts to address the following items should be highlighted in the narrative:

- Opportunities to utilize the FSP to achieve State Forest Action Plans
- Program delivery in FSP Federal Investment Areas
- Landscape-scale stewardship planning
- Enhancing financial viability of private forest ownership
- Climate change adaptation and mitigation
- Engage or benefit underserved populations
- Water quality and supply

Guidance for Inflation Reduction Act Programs

Reporting on All IRA UCF Grants

Semi-annual financial (SF-425) and progress reports are required for IRA UCF grants for the periods ending June 30 and December 31. These reports are due July 30 and January 30 (30 days from the period end). Timely submittal of financial and progress reports for each grant as indicated in your award agreement will be required. Payments will be withheld until missing reports are received and approved.

Accomplishment Reporting: Recipients should be prepared to provide project updates upon request, even if outside of the regular reporting cycles, to address Agency, Congressional or Administration inquiries. States are required to track and report annual accomplishments with IRA funding for the Federal FY using CARS. Additional reporting requirements will be provided at a later date.

Forest Legacy Program (FLP IRA) (FAL 10.734)

Allocation

Allocation guidance for Forest Legacy Program (FLP) Inflation Reduction Act (IRA) funding is the same as noted in the FLP (FAL 10.676) section above with the following exception.

Land Acquisition Project funds: Direction for FLP IRA funding for Land Acquisition Projects is the same as listed in the FLP (FAL 10.676) section above except the list of funded projects is selected and approved by the National Review Panel with notification provided to Congress.

Administrative funds: Direction for FLP IRA Administrative funding is the same as listed in the FLP (FAL 10.676) section above.

Direction

IRA funding is directed to project types that complement the LWCF funding opportunity and still meet program eligibility and core criteria requirements. IRA FLP projects are selected based on three core criteria: (1) environmental importance of the property; (2) threat of conversion to a non-forest; and (3) strategic position on the landscape and connection with other protected lands; AND special emphasis criteria for each of the three project types: Large landscape, State-Tribal partnership and Strategic small-tract. Information about scoring criteria can be found on the [How the Forest Legacy Program Works web page](#).

Cost Share Requirements

Cost share requirements for IRA funded projects are the same as listed in the FLP (FAL 10.676) section above except: For IRA funded projects only (not applicable to LWCF projects), cost-share may be reduced or waived for projects that take place in and deliver substantial benefits to disadvantaged and/or Tribal/indigenous communities. Cost-share waiver or reduction will only be considered for Strategic small-tract and State-Tribal partnership project types on a project-by-project basis. Recommendations around cost-share waiver or reduction will be limited and made on a project-by-project basis by the National Review Panel, for discretionary approval by the Secretary.

Accomplishment Reporting Requirements

Accomplishment reporting requirements for IRA funded accomplishments are the same as listed for FLP (FAL 10.676) above.

Outreach and Education

Guidance for Inflation Reduction Act Programs

Outreach and Education reporting requirements for IRA funded activities are the same as listed in the FLP (FAL 10.676) section above.